

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
INSURANCE COMPANY OF NORTH AMERICA
a/s/o STEVEN and LAURIE FRIEDEL,

08-CV-02929 (SHS) (THK)

Plaintiff,

**DEFENDANT'S INITIAL
DISCLOSURES PURSUANT TO
RULE 26(A)(1)**

-against-

H.O. PENN MACHINERY COMPANY, INC.,

Defendant.

-----X
H.O. PENN MACHINERY COMPANY, INC.,

Third-Party Plaintiff,

-against-

SUPERIOR SPECIALIZED SERVICES, INC.,

Third-Party Defendant

-----X

The defendant, H.O. PENN MACHINERY COMPANY, INC. (hereinafter "H.O. PENN"), by its attorneys, LEWIS JOHS AVALLONE AVILES, LLP, hereby submits the following initial disclosures pursuant to F.R.C.P. 26(a)(1):

(A) The name and, if known, the address and telephone number of each individual likely to have discoverable information relevant to disputed facts alleged with particularity in the pleadings....

Upon information and belief, the defendant, H.O. Penn, claims that the following individuals may be in possession of discoverable information:

:

1. Michael Mockler
2. Mark Ostroff
3. Bryan Nix
4. Robert Ferrara
5. Erik Abrahamsen
6. Thomas Wilton

At the present time, all of the aforementioned individuals are currently employed by the defendant.

(B) A copy of, or a description by category and location of all documents, data compilations, and tangible things in the possession, custody, or control of the party and that the disclosing party may use to support its claims or defenses, unless solely for impeachment;

Annexed hereto as Exhibit A and B are copies of all documents presently in the possession, custody and control of the defendant with respect to the complained of occurrence. Additionally, defendant is in possession of an O-ring and a bolt, and these items will be produced for inspection upon request.

(C) A computation of any category of damages claimed by the disclosing party.

Defendant is not in possession of any documents and/or information upon which any computation of damages could be made.

(D) Insurance coverage information:

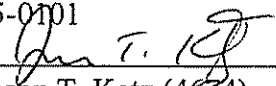
On the date of incident, defendant had a policy of insurance with Zurich North America ("Zurich"). Zurich, however, has disclaimed coverage and will, at the present time, neither defend nor indemnify the defendant in this matter. Correspondence from Zurich reflecting the foregoing is annexed hereto as Exhibit C.

The defendant reserves the right to amend and/or supplement the foregoing

Responses as discovery progresses and facts become known.

Dated: Melville, New York

June 27, 2008

LEWIS JOHS AVALLONE AVILES, LLP
Attorneys for Defendant
H.O. PENN MACHINERY COMPANY, INC.
425 Broad Hollow Road
Melville, New York 11747
(631) 755-0101
By: 
Jason T. Katz (4674)
LJAA File No.: 114-1076

TO: CASEY & BARNETT, LLC
Attorneys for Plaintiff
317 Madison Avenue, 21st Floor
New York, New York 10017
(212) 286-0225

Exh "A"

Job Closing Authorization

Work Order #

HV4935

| | | | |
|-------------------|------------|---------------|----------------|
| Date Opened | 7/21/06 | Customer Name | H.V. CASH ACCT |
| Make | AA | Model | 3400 |
| Serial Number | 09LWR00833 | Hours | |
| Person to Contact | | | |

Warranty: YES NO (If yes, please fill out reverse side)

COD: YES NO Is money collected? YES NO Initial

Deductible: YES NO Is money collected? YES NO Initial

Notes to be added:

Special Message to:

Change entire Customer # to:

Change segment # to Customer # Add P.O. #

Other Changes

Mechanic and/or Foreman - please place your initials in space provided

Initials

1. Is the correct **service meter units** reading recorded on the Job Closing Summary (If truck has a hubometer record it also)? Yes No

Mechanic - please place your initials in the spaces provided

1. Are **model** and **serial numbers** correct on Job and Service Reports? Yes No
2. Is there a **Service Report** to cover **each repair** adequately (**Complaint, cause, correction**)? Yes No
3. Do the Service Reports **justify** all **parts used**? Yes No
4. Have all **Parts Credits** and Remanufactured or Exchange **core credits** been **accounted** for? Yes No
5. Have all **timecards** been **turned in**? Yes No
6. Is there a **Partners in Quality** suggestion? Yes No

Foreman / Leadman

Date Closed

Mechanic

Date Closed



ROUTING

SERVICE REPORT

| | |
|--|--|
| | |
| | |
| | |

01-084391-11 (3900)

| | | | | | | | | | | | |
|---------------------------------|--|-------------------------------------|--|-------------------------------------|--|----------------------------|--|------|--|--------------------|--|
| 1 | | DEALER CODE 3373 | | STORE NO. | | WORK ORDER HV 44935 | | SEG. | | CUSTOMER NAME | |
| DATE 8/25/06 | | EMPLOYEE IDENTIFICATION 5394 | | | | | | | | EQUIPMENT LOCATION | |
| CATERPILLAR MODEL 3406 E | | SERIAL NO. 9WR0833 | | <input type="checkbox"/> IF NON-CAT | | | | | | INSTRUCTIONS: | |
| HOURS 655 | | MILES | | KILOMETERS | | | | | | | |

| PART NUMBER RESPONSIBLE | <input type="checkbox"/> IF NON-CAT | PART NAME | QTY. | DESC. CODE | GROUP NUMBER CONTAINING PART | <input type="checkbox"/> IF NON-CAT | GROUP NAME | <input type="checkbox"/> IF MADE PRODUCT INOPERABLE | DESCRIPTIVE COMMENTS |
|-------------------------|-------------------------------------|-----------|------|------------|------------------------------|-------------------------------------|------------|---|----------------------|
| | <input type="checkbox"/> | | | | | <input type="checkbox"/> | | <input type="checkbox"/> | |
| | <input type="checkbox"/> | | | | | <input type="checkbox"/> | | <input type="checkbox"/> | |
| | <input type="checkbox"/> | | | | | <input type="checkbox"/> | | <input type="checkbox"/> | |

DESCRIPTION CODES • A - Structural B - Surface C - Leaks D - Factory Assembly E - System Malfunction F - Factory Shipping G - General Repair H - Adjustment K - Serviceability N - Abuse X - OPERATION COMPLAINT

| RELATED SERIAL NUMBERS | | | COMPONENT ARRANGEMENT/TEST/SERIAL NUMBERS | | LABOR CODE | DESCRIPTION | MAN HOURS |
|------------------------|------------|------------------------|---|--------|--------------------|-------------|-----------|
| CATERPILLAR MODEL | SERIAL NO. | OEM PRODUCT MAKE/MODEL | COMPONENT | NUMBER | | | |
| | | VEHICLE CONFIGURATION | | | | | . |
| | | DELIVERY DATE | | | | | . |
| | | | | | DATE OF LAST LABOR | | . |

WHAT WAS THE CUSTOMERS' COMPLAINT? **Engine Overheat**

ADDITIONAL COMMENTS ON THE CAUSE OF FAILURE?

WHAT WAS THE RESULTANT DAMAGE? **Cracked Head, Rusted Liners, Water pumps Bad**

HOW DID YOU REPAIR IT? **Replaced Liners, piston Crowns, piston Skirts, Rings, Connecting Rods main, Thrust and Rod Bearings, Replaced cyl head Replaced Injectors. Replaced Sea water and Fresh water pumps. Replaced all gaskets and cleaned out heat Exchanger. Replaced all Zinc's and Fluids & Filters Ran engine every thing ok**

CUSTOMER SIGNATURE _____ SERVICE MAN SIGNATURE

CUSTOMER INVOICE

H.O.PENN CAT**H. O. PENN MACHINERY COMPANY, INC.**

HOLTSVILLE, N.Y. 660 UNION AVENUE
 POUGHKEEPSIE, N.Y., 122 NOXON ROAD
 NEWINGTON, CT., 225 RICHARD STREET
 BRONX, N.Y., 699 BRUSH AVENUE
 BLOOMINGBURG, NY, 783 BLOOMINGBURG ROAD

631-758-7500 FAX 631-758-7513
 845-452-1200 FAX 845-452-5681
 860-666-8401 FAX 860-667-3570
 718-863-3800 FAX 718-823-7174
 845-733-6400 FAX 845-733-6499

SOLD TO

HOLTSVILLE CASH ACCT
 HOLTSVILLE
 HOLTSVILLE NY 11742

SHIP TO

| INVOICE NUMBER | INVOICE DATE | CUSTOMER NO | CUSTOMER PURCHASE ORDER NUMBER | STORE | DIV | SALESMAN | TERMS | PAGE |
|----------------|--------------|---------------|--------------------------------|-------|------------------|------------|---------------|------------------|
| WOHE0332344 | 08-31-06 | 01424 | STEVE | 02 | P | | 1 | 1 |
| PSO/WD NO. | DOC DATE | PC | LC | MC | SHIP VIA | | | INVOICE SEQ. NO. |
| HV44935 | 07-21-06 | 10 | 10 | 10 | | | | 2137164 |
| MAKE | MODEL | SERIAL NUMBER | | | EQUIPMENT NUMBER | | METER READING | MACH. ID NO. |
| AA | 3406 | D9WR00833 | | | | | 655.0 | |
| QUANTITY | ITEM | *N/R | DESCRIPTION | | | UNIT PRICE | | EXTENSION |

REPAIR ENGINE

ENGINE OVERHEATED CRACKED CYLINDER HEAD, CYLINDER
 LINERS RUSTED

REPLACE DAMAGED PARTS AND TEST RUN

| | | | | | |
|----|---------|--------------|---|---------|----------|
| 6 | OR-3780 | ROD A | N | 229.56 | 1377.36 |
| 6 | | CORE DEPOSIT | N | 228.53 | 1371.18 |
| 6- | | CORE RETURN | N | 228.53 | 1371.18- |
| 1 | OR-7881 | PUMP GP WTR | N | 2052.50 | 2052.50 |
| 1 | | CORE DEPOSIT | N | 961.27 | 961.27 |
| 1- | | CORE RETURN | N | 961.27 | 961.27- |
| 2 | 1A-2029 | CAPSCREW | S | .25 | .50 |
| 1 | 1R-0716 | FILTER A | S | 18.92 | 18.92 |
| 1 | 1R-0749 | FILTER AS FU | S | 16.53 | 16.53 |
| 45 | 1U-5516 | DISC | S | 1.13 | 50.85 |
| 4 | 1U-6858 | SHEET | N | .84 | 3.36 |
| 2 | 1U-8846 | GASKET MAKER | S | 14.38 | 28.76 |
| 2 | 2A-4639 | CAP SCREW | S | .36 | .72 |
| 2 | 2N-0931 | GASKET | S | 1.40 | 2.80 |
| 16 | 2N-2766 | LOCK NUT | S | 3.53 | 56.48 |
| 6 | 2P-2817 | RING | S | 29.24 | 175.44 |
| 1 | 3K-0360 | SEAL | S | .69 | .69 |
| 4 | 3P-0649 | SEAL-O-RING | S | 12.44 | 49.76 |
| 1 | 3S-2093 | TIE | S | .12 | .12 |
| 1 | 3S-9643 | SEAL | S | 9.44 | 9.44 |
| 2 | 4J-5477 | SEAL O RING | S | .50 | 1.00 |
| 1 | 4N-1151 | GASKET | S | 16.13 | 16.13 |
| 1 | 4N-1156 | GASKET | S | 1.44 | 1.44 |

* - NOT RETURNABLE

CONT'D

PAYMENT TERMS:

Parts Service Net30
 Equipment Sales, Rentals Net10
 Generator Rentals Net10
 Generator Sales Net10

Warranty information is
 available from your sales
 representative.

INVOICE

WOHE0332344

CUSTOMER

01424

PAY THIS
AMOUNTCREDIT
AMOUNT

CONT'D

PLEASE REMIT WITH THIS STUB TO:

H. O. PENN MACHINERY COMPANY, INC.
PO Box 5307
POUGHKEEPSIE, NY 12602-5307

A SERVICE CHARGE OF 2.0%
 (NY) 1.5% (CT) PER MONTH
 WILL BE CHARGED ON THE
 UNPAID BALANCE IF NOT
 PAID WITHIN TERMS.

ESTIMATED 08-1-06



H. O. PENN MACHINERY COMPANY, INC.

HOLTSVILLE, N.Y. 660 UNION AVENUE 631-758-7500 FAX 631-758-7513
 POUGHKEEPSIE, N.Y., 122 NOXON ROAD 845-452-1200 FAX 845-452-5681
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 BLOOMINGBURG, NY, 783 BLOOMINGBURG ROAD 845-733-6400 FAX 845-733-6499

SOLD TO

SHIP TO

HOLTSVILLE CASH ACCT
 HOLTSVILLE
 HOLTSVILLE NY 11742

| INVOICE NUMBER | INVOICE DATE | CUSTOMER NO | CUSTOMER PURCHASE ORDER NUMBER | STORE | DIV | SALESMAN | TERMS | PAGE |
|----------------|--------------|---------------|--------------------------------|------------------|------------|---------------|------------------|--------------|
| WOHE0332344 | 08-31-06 | 01424 | STEVE | 02 | P | | 1 | 2 |
| PSO/WO NO. | DOC DATE | PC | LC | MC | SHIP VIA | | INVOICE SEQ. NO. | |
| HV44935 | 07-21-06 | 10 | 10 | 10 | | | 2137164 | |
| MAKE | MODEL | SERIAL NUMBER | | EQUIPMENT NUMBER | | METER READING | | MACH. ID NO. |
| AA | 3406 | 09WR00833 | | | | 655.0 | | |
| QUANTITY | ITEM | *N/R | DESCRIPTION | | UNIT PRICE | | EXTENSION | |

| | | | | | | |
|----|---------|--|--------------|---|-------|--------|
| 1 | 4P-7581 | | CLIP | S | 2.30 | 2.30 |
| 1 | 5B-9169 | | PLUG | S | 10.16 | 10.16 |
| 1 | 5B-9651 | | PLUG | S | 6.84 | 6.84 |
| 1 | 5H-2471 | | CEMENT | S | 8.83 | 8.83 |
| 1 | 5K-5338 | | CLIP | S | 3.33 | 3.33 |
| 14 | 5M-2894 | | WASHER | S | .18 | 2.52 |
| 2 | 5M-3038 | | SEAL O RING | S | 5.56 | 11.12 |
| 1 | 5P-5846 | | SEAL O RING | S | 9.43 | 9.43 |
| 2 | 5P-7530 | | SEAL O RING | S | 4.36 | 8.72 |
| 1 | 5P-8068 | | SEAL | S | 8.85 | 8.85 |
| 1 | 6I-2517 | | GASKET | S | 2.79 | 2.79 |
| 2 | 6J-2245 | | SEAL O RING | S | 3.35 | 6.70 |
| 6 | 6L-1650 | | SEAL O RING | S | 6.14 | 36.84 |
| 2 | 6L-2279 | | PLUG | S | 8.51 | 17.02 |
| 2 | 6L-2280 | | ROD | S | 5.15 | 10.30 |
| 1 | 6V-1903 | | SEAL-O-RING | S | 4.54 | 4.54 |
| 2 | 6V-3917 | | SEAL O RING | S | 17.00 | 34.00 |
| 10 | 6V-4365 | | SEAL-O-RING | S | 2.61 | 26.10 |
| 1 | 6V-4367 | | SEAL-O-RING | S | 4.95 | 4.95 |
| 1 | 6V-4876 | | LUBRICANT | S | 30.18 | 30.18 |
| 4 | 6V-5048 | | SEAL-O-RING | S | 2.27 | 9.08 |
| 2 | 6V-5049 | | SEAL O RING | S | 2.60 | 5.20 |
| 4 | 6V-5656 | | SEAL | N | 14.45 | 57.80 |
| 6 | 6V-8398 | | SEAL O RING | S | .58 | 3.48 |
| 1 | 7D-7111 | | SEAL-O-RING | S | 16.17 | 16.17 |
| 12 | 7E-1177 | | RETAINER | S | 2.61 | 31.32 |
| 2 | 7E-9262 | | PLATE-THRUST | S | 27.97 | 55.94 |
| 1 | 7M-7273 | | GASKET | S | 6.54 | 6.54 |
| 6 | 7N-7078 | | RING-PISTON | S | 29.24 | 175.44 |

* - NOT RETURNABLE

CONT'D

| PAYMENT TERMS: | |
|--------------------------|-------|
| Parts, Service | Net30 |
| Equipment Sales, Rentals | Net10 |
| Generator Rentals | Net10 |
| Generator Sales | Net10 |

Warranty information is available from your sales representative.

INVOICE WOHE0332344 CUSTOMER 01424

PLEASE REMIT WITH THIS STUB TO:

H. O. PENN MACHINERY COMPANY, INC.
 PO Box 5307
 POUGHKEEPSIE, NY 12602-5307

PAY THIS AMOUNT

CREDIT AMOUNT

CONT'D

A SERVICE CHARGE OF 2.0% (NY) 1.5% (CT) PER MONTH WILL BE CHARGED ON THE UNPAID BALANCE IF NOT PAID WITHIN TERMS.



H. O. PENN MACHINERY COMPANY, INC.

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 HOLTSVILLE
 HOLTSVILLE NY 11742

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|----------------|--------------|---------------|-------------|--------------------------------|------------------|-------|---------------|----------|------------------|------|
| WOHE0332344 | 08-31-06 | 01424 | | STEVE | | 02 | P | | 1 | 3 |
| PSO/WO NO. | DOC DATE | PC | LC | MC | SHIP VIA | | | | INVOICE SEQ. NO. | |
| HV44935 | 07-21-06 | 10 | 10 | 10 | | | | | 2137164 | |
| MAKE | MODEL | SERIAL NUMBER | | | EQUIPMENT NUMBER | | METER READING | | MACH. ID NO. | |
| AA | 3406 | 09WR00833 | | | | | 655.0 | | | |
| QUANTITY | ITEM | *N/R | DESCRIPTION | | | | UNIT PRICE | | EXTENSION | |

| | | | | | | |
|----|----------|--|--------------|---|--------|---------|
| 2 | 7X-4805 | | SEAL O RING | N | 2.89 | 5.78 |
| 1 | 8L-2786 | | O RING | S | 3.04 | 3.04 |
| 1 | 9G-6655 | | ELEMENT A | S | 77.11 | 77.11 |
| 6 | 9L-5854 | | BAND | S | 4.16 | 24.96 |
| 2 | 9M-0164 | | CLAMP | S | 2.69 | 5.38 |
| 1 | 9S-4191 | | PLUG | S | 2.95 | 2.95 |
| 1 | 9Y-3742 | | CORD AS | N | 132.37 | 132.37 |
| 6 | 9Y-7735 | | BEARING | S | 22.88 | 137.28 |
| 1 | 10R-0483 | | PUMP GP WTR | S | 381.84 | 381.84 |
| 1 | | | CORE DEPOSIT | S | 453.76 | 453.76 |
| 1- | | | CORE RETURN | S | 453.76 | 453.76 |
| 5 | 10R-0959 | | INJ GP FUEL | S | 457.50 | 2287.50 |
| 5 | | | CORE DEPOSIT | S | 138.25 | 691.25 |
| 1 | 10R-0959 | | INJ GP FUEL | S | 457.50 | 457.50 |
| 1 | | | CORE DEPOSIT | S | 138.25 | 138.25 |
| 6- | | | CORE RETURN | N | 138.25 | 829.50 |
| 1 | 103-6045 | | SEAL | S | 25.17 | 25.17 |
| 12 | 106-1792 | | STUD TAPER | S | 8.19 | 98.28 |
| 2 | 109-0072 | | SEAL O RING | S | 4.37 | 8.74 |
| 2 | 109-0073 | | SEAL O RING | S | 4.68 | 9.36 |
| 6 | 110-2220 | | SEAL O RING | S | 7.59 | 45.54 |
| 4 | 110-7753 | | SEAL O RING | N | 6.44 | 25.76 |
| 1 | 114-2687 | | SEAL-O-RING | S | 2.83 | 2.83 |
| 2 | 123-5205 | | GASKET | S | 96.15 | 192.30 |
| 1 | 124-9052 | | GASKET-RGLT | S | 2.45 | 2.45 |
| 6 | 129-9452 | | GASKET | S | 3.35 | 20.10 |
| 6 | 130-0241 | | SKIRT | S | 55.79 | 334.74 |
| 2 | 130-5694 | | SEAL-O-RING | N | 16.51 | 33.02 |
| 6 | 134-3761 | | RING | S | 29.24 | 175.44 |

* - NOT RETURNABLE

CONT'D

| PAYMENT TERMS: | |
|--------------------------|-------|
| Parts, Service | Net30 |
| Equipment Sales, Rentals | Net10 |
| Generator Rentals | Net10 |
| Generator Sales | Net10 |

Warranty information is available from your sales representative.

INVOICE WOHE0332344 CUSTOMER 01424

PLEASE REMIT WITH THIS STUB TO:

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 PO Box 5307
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PAY THIS AMOUNT

CREDIT AMOUNT

CONT'D

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CUSTOMER INVOICE



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|----------------|-------|--------------|---------------|-------------|-------------|--------------------------------|----------|---------------|------------|--------------|-----------|------------------|------|
| WOHE0332344 | | 08-31-06 | | 01424 | | STEVE | | | 02 | P | | 1 | 4 |
| PSO/WD NO. | | DOC DATE | | PC | LC | MC | SHIP VIA | | | | | INVOICE SEQ. NO. | |
| HV44935 | | 07-21-06 | | 10 | 10 | 10 | | | | | | 2137164 | |
| MAKE | MODEL | | SERIAL NUMBER | | | EQUIPMENT NUMBER | | METER READING | | MACH. ID NO. | | | |
| AA | 3406 | | 09WR00833 | | | | | 655.0 | | | | | |
| QUANTITY | | ITEM | | *N/R | DESCRIPTION | | | | UNIT PRICE | | EXTENSION | | |

| | | | | | | |
|---|----------|--|---------------------|---|---------|---------|
| 1 | 142-5867 | | SEAL GP-CSHF | S | 63.78 | 63.78 |
| 1 | 142-5868 | | SEAL GP-CSHF | S | 63.78 | 63.78 |
| 6 | 142-6217 | | SEAL O RING | N | 16.39 | 98.34 |
| 6 | 142-7072 | | SEAL-O-RING | S | 4.40 | 26.40 |
| 6 | 145-6700 | | CROWN AS | N | 201.52 | 1209.12 |
| 1 | 150-4104 | | GASKET | S | 30.86 | 30.86 |
| 1 | 153-9653 | | GASKET-CYL H | N | 65.13 | 65.13 |
| 1 | 155-3629 | | GASKET | N | 36.33 | 36.33 |
| 4 | 155-8724 | | ROD AS | S | 11.07 | 44.28 |
| 1 | 166-9144 | | GASKET | S | 28.97 | 28.97 |
| 6 | 168-7246 | | PIN-PISTON | N | 58.14 | 348.84 |
| 1 | 187-2112 | | HEAD GP-CYL | N | 6093.47 | 6093.47 |
| 6 | 197-9322 | | LINER | S | 118.93 | 713.58 |
| 7 | 211-0592 | | BEARING - MA | S | 37.84 | 264.88 |
| 1 | 216-1252 | | GASKET KIT - | S | 506.11 | 506.11 |
| 1 | 224-5122 | | GASKET | S | 133.00 | 133.00 |
| 6 | 228-7090 | | SEAL-O-RING | N | 2.53 | 15.18 |
| 1 | 248-2090 | | KIT-GASKET-F | N | 298.40 | 298.40 |
| 1 | 248-5513 | | REGULATOR-TE | S | 34.57 | 34.57 |
| 3 | 2487518 | | 15W40 DEO 1 GALLONS | | 17.15 | 51.45 |
| 3 | 3E9713 | | 15W40 DEO 5 | S | 80.20 | 240.60 |

TOTAL PARTS SEG. 01 19325.80 *

1.00 SUPERLUBE F/R LBR 11962.00 *
 1.00 PAINT SUPPLIES 8.99
 1.00 FREIGHT IN 38.25
 75.94

* - NOT RETURNABLE

CONT'D

| PAYMENT TERMS: | |
|--------------------------|-------|
| Parts, Service | Net30 |
| Equipment Sales, Rentals | Net10 |
| Generator Rentals | Net10 |
| Generator Sales | Net10 |

Warranty information is available from your sales representative.

INVOICE WOHE0332344 CUSTOMER 01424

PLEASE REMIT WITH THIS STUB TO:

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 PO Box 5307
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PAY THIS AMOUNT

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B37717 06-14-08

CUSTOMER INVOICE

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 HOLTSVILLE
 HOLTSVILLE NY 11742

| INVOICE NUMBER | INVOICE DATE | CUSTOMER NO | CUSTOMER PURCHASE ORDER NUMBER | STORE | DIV | SALESMAN | TERMS | PAGE |
|----------------|--------------|---------------|--------------------------------|------------------|------------|---------------|------------------|------|
| WOHE0332344 | 08-31-06 | 01424 | STEVE | 02 | P | | 1 | 5 |
| PSO/WO NO. | DOC DATE | PC | LC | MC | SHIP VIA | | INVOICE SEQ. NO. | |
| HV44935 | 07-21-06 | 10 | 10 | 10 | | | 2137164 | |
| MAKE | MODEL | SERIAL NUMBER | | EQUIPMENT NUMBER | | METER READING | MACH. ID NO. | |
| AA | 3406 | 09WR00833 | | | | 655.0 | | |
| QUANTITY | ITEM | *N/R | DESCRIPTION | | UNIT PRICE | | EXTENSION | |

TOTAL MISC CHGS SEG. 01 123.18 *

SEGMENT 01 TOTAL 31410.98 T

SUFFOLK CTY SALE TAX

2709.20 T

**DUE TO THE RISING COST OF DIESEL FUEL, H.O. PENN HAS ADDED A \$20
 FUEL SURCHARGE TO FIELD SERVICE INVOICES. AS MARKET CONDITIONS CHANGE,
 WE WILL RE-EVALUATE THE NEED FOR THIS CHARGE.**

* * *

C A S H

* * *

* - NOT RETURNABLE

34120.18

PAYMENT TERMS:

Parts, Service Net30
 Equipment Sales, Rentals Net10
 Generator Rentals Net10
 Generator Sales Net10

Warranty information is
 available from your sales
 representative.

INVOICE

WOHE0332344

CUSTOMER

01424

PAY THIS
AMOUNT

34120.18

CREDIT
AMOUNT

PLEASE REMIT WITH THIS STUB TO:

H. O. PENN MACHINERY COMPANY, INC.
PO Box 5307
POUGHKEEPSIE, NY 12602-5307

A SERVICE CHARGE OF 2.0%
 (NY) 1.5% (CT) PER MONTH
 WILL BE CHARGED ON THE
 UNPAID BALANCE IF NOT
 PAID WITHIN TERMS.

ESTIMATED 06-14-06

HU44935

3906

9WR830

Our Hester engine

2161252



H. O. PENN MACHINERY COMPANY, INC.

HOLTSVILLE, N.Y. 660 UNION AVENUE 631-758-7500 FAX 631-758-7513
 POUGHKEEPSIE, N.Y., 122 NOXON ROAD 845-452-1200 FAX 845-452-5681
 NEWINGTON, CT., 225 RICHARD STREET 860-666-8401 FAX 860-667-3570
 BRONX, N.Y., 699 BRUSH AVENUE 718-863-3800 FAX 718-823-7174
 BLOOMINGBURG, NY, 783 BLOOMINGBURG ROAD 845-733-6400 FAX 845-733-6499

SOLD TO

SHIP TO

HOLTSVILLE CASH ACCT
 HOLTSVILLE
 HOLTSVILLE NY 11742

| INVOICE NUMBER | INVOICE DATE | CUSTOMER NO. | CUSTOMER PURCHASE ORDER NUMBER | STORE | DIV | SALESMAN | TERMS | PAGE |
|----------------|--------------|---------------|--------------------------------|-------|------------------|---------------|--------------|------------------|
| HV44935 | 08-25-06 | 01424 | STEVE | 02 | P | | 1 | 5 |
| PSO/WO NO. | DOC DATE | PC | LC | MC | SHIP VIA | | | INVOICE SEQ. NO. |
| HV44935 | 07-21-06 | 10 | 10 | 10 | | | | 1 |
| MAKE | MODEL | SERIAL NUMBER | | | EQUIPMENT NUMBER | METER READING | MACH. ID NO. | |
| AA | 3406 | 09WR00833 | | | | | | |
| QUANTITY | ITEM | *N/R | DESCRIPTION | | | UNIT PRICE | EXTENSION | |

* * * PROFORMA INVOICE * * *

| | | | |
|------|------------------|---------|------------|
| | TOTAL PARTS | SEG. 01 | 19325.80 * |
| | | F/R LBR | 11962.00 * |
| 1.00 | SUPERLUBE | | 8.99 |
| 1.00 | PAINT SUPPLIES | | 38.25 |
| 1.00 | FREIGHT IN | | 75.94 |
| | TOTAL MISC CHGS | SEG. 01 | 123.18 * |
| | SEGMENT 01 TOTAL | | 31410.98 T |

 SUFFOLK CTY SALE TAX 2709.20 T

DUE TO THE RISING COST OF DIESEL FUEL, H.O. PENN HAS ADDED A \$20 FUEL SURCHARGE TO FIELD SERVICE INVOICES. AS MARKET CONDITIONS CHANGE, WE WILL RE-EVALUATE THE NEED FOR THIS CHARGE.

* * * C A S H * * *

* - NOT RETURNABLE

34120.18

PAYMENT TERMS:
 Parts, Service Net30
 Equipment Sales, Rentals Net10
 Generator Rentals Net10
 Generator Sales Net10

Warranty information is available from your sales representative.

INVOICE HV44935 CUSTOMER 01424

PLEASE REMIT WITH THIS STUB TO:

H. O. PENN MACHINERY COMPANY, INC.
 PO Box 5307
 POUGHKEEPSIE, NY 12602-5307

| | |
|-----------------|----------|
| PAY THIS AMOUNT | 34120.18 |
| CREDIT AMOUNT | |

A SERVICE CHARGE OF 2.0% (NY) 1.5% (CT) PER MONTH WILL BE CHARGED ON THE UNPAID BALANCE IF NOT PAID WITHIN TERMS.

SALES DRAFT

H.O. PENN MACH CO 002
660 UNION AVE
HOLTSVILLE, NY 11742
TERMINAL 0204412

6314126764
08/25/2006 15:32:02

AX 371575506303001 EXP. 1000
INVOICE 54011 002
AUTH. CODE 115083

SALE TOTAL \$34120.18

I AGREE TO PAY ABOVE TOTAL AMOUNT
ACCORDING TO CARD ISSUER AGREEMENT
(MERCHANT AGREEMENT IF CREDIT VOUCHER)

X

MERCHANT COPY

SALES DRAFT

H.O. PENN MACH CO 002
660 UNION AVE
HOLTSVILLE, NY 11742
TERMINAL 0204412

6314126764
08/25/2006 15:32:30
FIX XXXXXXXXXXXX3001
INVOICE 54011 002
AUTH. CODE 115083

SALE TOTAL \$134120.18

CUSTOMER COPY

CUSTOMER INVOICE



H. O. PENN MACHINERY COMPANY, INC.

HOLTSVILLE, N.Y. 660 UNION AVENUE
POUGHKEEPSIE, N.Y., 122 NOXON ROAD
NEWINGTON, CT., 225 RICHARD STREET
BRONX, N.Y., 699 BRUSH AVENUE
BLOOMINGBURG, NY, 783 BLOOMINGBURG ROAD

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860-666-8401 FAX 860-667-3570
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845-733-6400 FAX 845-733-6499

SOLD TO

SHIP TO

HOLTSVILLE CASH ACCT
HOLTSVILLE
HOLTSVILLE NY 11742

| INVOICE NUMBER | INVOICE DATE | CUSTOMER NO | CUSTOMER PURCHASE ORDER NUMBER | STORE | DIV | SALESMAN | TERMS | PAGE |
|----------------|--------------|---------------|--------------------------------|------------------|------------|---------------|---------------|------------------|
| HV44935 | 08-25-06 | 01424 | STEVE | 02 | P | | 1 | 1 |
| PSO/WO NO. | DOC DATE | PC | LC | MC | SHIP VIA | | | INVOICE SEQ. NO. |
| HV44935 | 07-21-06 | 10 | 10 | 10 | | | | 1 |
| MAKE | MODEL | SERIAL NUMBER | | EQUIPMENT NUMBER | | METER READING | MACH. ID. NO. | |
| AA | 3406 | 09WR00833 | | | | 655 | | |
| QUANTITY | ITEM | *N/R | DESCRIPTION | | UNIT PRICE | | EXTENSION | |

* * * PROFORMA INVOICE * * *

REPAIR ENGINE

ENGINE OVERHEATED CRACKED CYLINDER HEAD, CYLINDER
LINERS RUSTED

REPLACE DAMAGED PARTS AND TEST RUN

| | | | | | |
|----|---------|--------------|---|---------|----------|
| 6 | OR-3780 | ROD A | N | 229.56 | 1377.36 |
| 6 | | CORE DEPOSIT | N | 228.53 | 1371.18 |
| 6- | | CORE RETURN | N | 228.53 | 1371.18- |
| 1 | OR-7881 | PUMP GP WTR | N | 2052.50 | 2052.50 |
| 1 | | CORE DEPOSIT | N | 961.27 | 961.27 |
| 1- | | CORE RETURN | N | 961.27 | 961.27- |
| 2 | 1A-2029 | CAPSCREW | S | .25 | .50 |
| 1 | 1R-0716 | FILTER A | S | 18.92 | 18.92 |
| 1 | 1R-0749 | FILTER AS FU | S | 16.53 | 16.53 |
| 45 | 1U-5516 | DISC | S | 1.13 | 50.85 |
| 4 | 1U-6858 | SHEET | N | .84 | 3.36 |
| 2 | 1U-8846 | GASKET MAKER | S | 14.38 | 28.76 |
| 2 | 2A-4639 | CAP SCREW | S | .36 | .72 |
| 2 | 2N-0931 | GASKET | S | 1.40 | 2.80 |
| 16 | 2N-2766 | LOCK NUT | S | 3.53 | 56.48 |
| 6 | 2P-2817 | RING | S | 29.24 | 175.44 |
| 1 | 3K-0360 | SEAL | S | .69 | .69 |
| 4 | 3P-0649 | SEAL-O-RING | S | 12.44 | 49.76 |
| 1 | 3S-2093 | TIE | S | .12 | .12 |
| 1 | 3S-9643 | SEAL | S | 9.44 | 9.44 |
| 2 | 4J-5477 | SEAL O RING | S | .50 | 1.00 |

* - NOT RETURNABLE

CONT'D

| PAYMENT TERMS: | |
|--------------------------|-------|
| Parts, Service | Net30 |
| Equipment Sales, Rentals | Net10 |
| Generator Rentals | Net10 |
| Generator Sales | Net10 |

Warranty information is
available from your sales
representative.

INVOICE HV44935 CUSTOMER 01424

PLEASE REMIT WITH THIS STUB TO:

H. O. PENN MACHINERY COMPANY, INC.
PO Box 5307
POUGHKEEPSIE, NY 12602-5307

PAY THIS
AMOUNT

CREDIT
AMOUNT

CONT'D

A SERVICE CHARGE OF 2.0%
(NY) 1.5% (CT) PER MONTH
WILL BE CHARGED ON THE
UNPAID BALANCE IF NOT
PAID WITHIN TERMS.

B377PV 06-14-09

CUSTOMER INVOICE



H. O. PENN MACHINERY COMPANY, INC.

HOLTSVILLE, N.Y. 660 UNION AVENUE
 POUGHKEEPSIE, N.Y., 122 NOXON ROAD
 NEWINGTON, CT., 225 RICHARD STREET
 BRONX, N.Y., 699 BRUSH AVENUE
 BLOOMINGBURG, NY, 783 BLOOMINGBURG ROAD

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 718-863-3800 FAX 718-823-7174
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SOLD TO

HOLTSVILLE CASH ACCT
 HOLTSVILLE
 HOLTSVILLE NY 11742

SHIP TO

| INVOICE NUMBER | INVOICE DATE | CUSTOMER NO | CUSTOMER PURCHASE ORDER NUMBER | STORE | DIV | SALESMAN | TERMS | PAGE |
|----------------|--------------|---------------|--------------------------------|-------|------------------|------------|---------------|------------------|
| HV44935 | 08-25-06 | 01424 | STEVE | 02 | P | | 1 | 2 |
| PSO/WO NO. | DOC DATE | PC | LC | MC | SHIP VIA | | | INVOICE SEQ. NO. |
| HV44935 | 07-21-06 | 10 | 10 | 10 | | | | 1 |
| MAKE | MODEL | SERIAL NUMBER | | | EQUIPMENT NUMBER | | METER READING | MACH. ID. NO. |
| AA | 3406 | 09WR00833 | | | | | | |
| QUANTITY | ITEM | *N/R | DESCRIPTION | | | UNIT PRICE | | EXTENSION |

* * * PROFORMA INVOICE * * *

| | | | | | |
|----|---------|-------------|---|-------|-------|
| 1 | 4N-1151 | GASKET | S | 16.13 | 16.13 |
| 1 | 4N-1156 | GASKET | S | 1.44 | 1.44 |
| 1 | 4P-7581 | CLIP | S | 2.30 | 2.30 |
| 1 | 5B-9169 | PLUG | S | 10.16 | 10.16 |
| 1 | 5B-9651 | PLUG | S | 6.84 | 6.84 |
| 1 | 5H-2471 | CEMENT | S | 8.83 | 8.83 |
| 1 | 5K-5338 | CLIP | S | 3.33 | 3.33 |
| 14 | 5M-2894 | WASHER | S | .18 | 2.52 |
| 2 | 5M-3038 | SEAL O RING | S | 5.56 | 11.12 |
| 1 | 5P-5846 | SEAL O RING | S | 9.43 | 9.43 |
| 2 | 5P-7530 | SEAL O RING | S | 4.36 | 8.72 |
| 1 | 5P-8068 | SEAL | S | 8.85 | 8.85 |
| 1 | 6I-2517 | GASKET | S | 2.79 | 2.79 |
| 2 | 6J-2245 | SEAL O RING | S | 3.35 | 6.70 |
| 6 | 6L-1650 | SEAL O RING | S | 6.14 | 36.84 |
| 2 | 6L-2279 | PLUG | S | 8.51 | 17.02 |
| 2 | 6L-2280 | ROD | S | 5.15 | 10.30 |
| 1 | 6V-1903 | SEAL-O-RING | S | 4.54 | 4.54 |
| 2 | 6V-3917 | SEAL O RING | S | 17.00 | 34.00 |
| 10 | 6V-4365 | SEAL-O-RING | S | 2.61 | 26.10 |
| 1 | 6V-4367 | SEAL-O-RING | S | 4.95 | 4.95 |
| 1 | 6V-4876 | LUBRICANT | S | 30.18 | 30.18 |
| 4 | 6V-5048 | SEAL-O-RING | S | 2.27 | 9.08 |
| 2 | 6V-5049 | SEAL O RING | S | 2.60 | 5.20 |
| 4 | 6V-5656 | SEAL | N | 14.45 | 57.80 |
| 6 | 6V-8398 | SEAL O RING | S | .58 | 3.48 |
| 1 | 7D-7111 | SEAL-O-RING | S | 16.17 | 16.17 |

* - NOT RETURNABLE

CONT'D

| | |
|--------------------------|-------|
| PAYMENT TERMS: | |
| Parts, Service | Net30 |
| Equipment Sales, Rentals | Net10 |
| Generator Rentals | Net10 |
| Generator Sales | Net10 |

Warranty information is
 available from your sales
 representative.

INVOICE HV44935 CUSTOMER 01424

PAY THIS
 AMOUNT

CREDIT
 AMOUNT

CONT'D

PLEASE REMIT WITH THIS STUB TO:

H. O. PENN MACHINERY COMPANY, INC.
 PO Box 5307
 POUGHKEEPSIE, NY 12602-5307

A SERVICE CHARGE OF 2.0%
 (NY) 1.5% (CT) - PER MONTH
 WILL BE CHARGED ON THE
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CUSTOMER INVOICE



H. O. PENN MACHINERY COMPANY, INC.

HOLTSVILLE, N.Y. 660 UNION AVENUE
 POUGHKEEPSIE, N.Y., 122 NOXON ROAD
 NEWINGTON, CT., 225 RICHARD STREET
 BRONX, N.Y., 699 BRUSH AVENUE
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 860-666-8401 FAX 860-667-3570
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SOLD TO

HOLTSVILLE CASH ACCT
 HOLTSVILLE
 HOLTSVILLE NY 11742

SHIP TO

| INVOICE NUMBER | INVOICE DATE | CUSTOMER NO | CUSTOMER PURCHASE ORDER NUMBER | STORE | DIV | SALESMAN | TERMS | PAGE |
|----------------|--------------|---------------|--------------------------------|-------|------------------|------------|---------------|------------------|
| HV44935 | 08-25-06 | 01424 | STEVE | 02 | P | | 1 | 3 |
| PSO/WO NO. | DOC DATE | PC | LC | MC | SHIP VIA | | | INVOICE SEQ. NO. |
| HV44935 | 07-21-06 | 10 | 10 | 10 | | | | 1 |
| MAKE | MODEL | SERIAL NUMBER | | | EQUIPMENT NUMBER | | METER READING | MACH. ID NO. |
| AA | 3406 | 09WR00833 | | | | | | |
| QUANTITY | ITEM | *N/R | DESCRIPTION | | | UNIT PRICE | | EXTENSION |

* * * PROFORMA INVOICE * * *

| | | | | | |
|----|----------|--------------|---|--------|---------|
| 12 | 7E-1177 | RETAINER | S | 2.61 | 31.32 |
| 2 | 7E-9262 | PLATE-THRUST | S | 27.97 | 55.94 |
| 1 | 7M-7273 | GASKET | S | 6.54 | 6.54 |
| 6 | 7N-7078 | RING-PISTON | S | 29.24 | 175.44 |
| 2 | 7X-4805 | SEAL O RING | N | 2.89 | 5.78 |
| 1 | 8L-2786 | O RING | S | 3.04 | 3.04 |
| 1 | 9G-6655 | ELEMENT A | S | 77.11 | 77.11 |
| 6 | 9L-5854 | BAND | S | 4.16 | 24.96 |
| 2 | 9M-0164 | CLAMP | S | 2.69 | 5.38 |
| 1 | 9S-4191 | PLUG | S | 2.95 | 2.95 |
| 1 | 9Y-3742 | CORD AS | N | 132.37 | 132.37 |
| 6 | 9Y-7735 | BEARING | S | 22.88 | 137.28 |
| 1 | 10R-0483 | PUMP GP WTR | S | 381.84 | 381.84 |
| 1 | | CORE DEPOSIT | S | 453.76 | 453.76 |
| 1- | | CORE RETURN | S | 453.76 | 453.76- |
| 5 | 10R-0959 | INJ GP FUEL | S | 457.50 | 2287.50 |
| 5 | | CORE DEPOSIT | S | 138.25 | 691.25 |
| 1 | 10R-0959 | INJ GP FUEL | S | 457.50 | 457.50 |
| 1 | | CORE DEPOSIT | S | 138.25 | 138.25 |
| 6- | | CORE RETURN | N | 138.25 | 829.50- |
| 1 | 103-6045 | SEAL | S | 25.17 | 25.17 |
| 12 | 106-1792 | STUD TAPER | S | 8.19 | 98.28 |
| 2 | 109-0072 | SEAL O RING | S | 4.37 | 8.74 |
| 2 | 109-0073 | SEAL O RING | S | 4.68 | 9.36 |
| 6 | 110-2220 | SEAL O RING | S | 7.59 | 45.54 |
| 4 | 110-7753 | SEAL O RING | N | 6.44 | 25.76 |
| 1 | 114-2687 | SEAL-O-RING | S | 2.83 | 2.83 |

* - NOT RETURNABLE

CONT'D

PAYMENT TERMS:

Parts, Service Net30
 Equipment Sales, Rentals Net10
 Generator Rentals Net10
 Generator Sales Net10

Warranty information is
 available from your sales
 representative.

INVOICE

HV44935

CUSTOMER

01424

PAY THIS
AMOUNTCREDIT
AMOUNT

CONT'D

PLEASE REMIT WITH THIS STUB TO:

H. O. PENN MACHINERY COMPANY, INC.
 PO Box 5307
 POUGHKEEPSIE, NY 12602-5307

A SERVICE CHARGE OF 2.0%
 (NY) 1.5% (CT) PER MONTH
 WILL BE CHARGED ON THE
 UNPAID BALANCE IF NOT
 PAID WITHIN TERMS.

B37711 06-11-08

CUSTOMER INVOICE



H. O. PENN MACHINERY COMPANY, INC.

HOLTSVILLE, N.Y. 660 UNION AVENUE
POUGHKEEPSIE, N.Y., 122 NOXON ROAD
NEWINGTON, CT., 225 RICHARD STREET
BRONX, N.Y., 699 BRUSH AVENUE
BLOOMINGBURG, NY, 783 BLOOMINGBURG ROAD

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SOLD TO

HOLTSVILLE CASH ACCT
HOLTSVILLE
HOLTSVILLE NY 11742

SHIP TO

| INVOICE NUMBER | INVOICE DATE | CUSTOMER NO | CUSTOMER PURCHASE ORDER NUMBER | STORE | DIV | SALESMAN | TERMS | PAGE |
|----------------|--------------|---------------|--------------------------------|------------------|------------|---------------|--------------|------------------|
| HV44935 | 08-25-06 | 01424 | STEVE | 02 | P | | 1 | 4 |
| PSO/WO NO. | DOC DATE | PC | LC | MC | SHIP VIA | | | INVOICE SEQ. NO. |
| HV44935 | 07-21-06 | 10 | 10 | 10 | | | | 1 |
| MAKE | MODEL | SERIAL NUMBER | | EQUIPMENT NUMBER | | METER READING | MACH. ID NO. | |
| AA | 3406 | 09WR00833 | | | | | | |
| QUANTITY | ITEM | *N/R | DESCRIPTION | | UNIT PRICE | | EXTENSION | |

* * * PROFORMA INVOICE * * *

| | | | | | |
|---|----------|---------------------|---|---------|---------|
| 2 | 123-5205 | GASKET | S | 96.15 | 192.30 |
| 1 | 124-9052 | GASKET-RGLT | S | 2.45 | 2.45 |
| 6 | 129-9452 | GASKET | S | 3.35 | 20.10 |
| 6 | 130-0241 | SKIRT | S | 55.79 | 334.74 |
| 2 | 130-5694 | SEAL-O-RING | N | 16.51 | 33.02 |
| 6 | 134-3761 | RING | S | 29.24 | 175.44 |
| 1 | 142-5867 | SEAL GP-CSHF | S | 63.78 | 63.78 |
| 1 | 142-5868 | SEAL GP-CSHF | S | 63.78 | 63.78 |
| 6 | 142-6217 | SEAL O RING | N | 16.39 | 98.34 |
| 6 | 142-7072 | SEAL-O-RING | S | 4.40 | 26.40 |
| 6 | 145-6700 | CROWN AS | N | 201.52 | 1209.12 |
| 1 | 150-4104 | GASKET | S | 30.86 | 30.86 |
| 1 | 153-9653 | GASKET-CYL H | N | 65.13 | 65.13 |
| 1 | 155-3629 | GASKET | N | 36.33 | 36.33 |
| 4 | 155-8724 | ROD AS | S | 11.07 | 44.28 |
| 1 | 166-9144 | GASKET | S | 28.97 | 28.97 |
| 6 | 168-7246 | PIN-PISTON | N | 58.14 | 348.84 |
| 1 | 187-2112 | HEAD GP-CYL | N | 6093.47 | 6093.47 |
| 6 | 197-9322 | LINER | S | 118.93 | 713.58 |
| 7 | 211-0592 | BEARING - MA | S | 37.84 | 264.88 |
| 1 | 216-1252 | GASKET KIT - | S | 506.11 | 506.11 |
| 1 | 224-5122 | GASKET | S | 133.00 | 133.00 |
| 6 | 228-7090 | SEAL-O-RING | N | 2.53 | 15.18 |
| 1 | 248-2090 | KIT-GASKET-F | N | 298.40 | 298.40 |
| 1 | 248-5513 | REGULATOR-TE | S | 34.57 | 34.57 |
| 3 | 2487518 | 15W40 DEO 1 GALLONS | | 17.15 | 51.45 |
| 3 | 3E9713 | 15W40 DEO 5 | S | 80.20 | 240.60 |

* - NOT RETURNABLE

CONT'D

| PAYMENT TERMS: | |
|--------------------------|-------|
| Parts/Service | Net30 |
| Equipment Sales, Rentals | Net10 |
| Generator Rentals | Net10 |
| Generator Sales | Net10 |

Warranty information is
available from your sales
representative.

INVOICE HV44935 CUSTOMER 01424

PAY THIS
AMOUNT

CREDIT
AMOUNT

CONT'D

PLEASE REMIT WITH THIS STUB TO:

H. O. PENN MACHINERY COMPANY, INC.
PO Box 5307
POUGHKEEPSIE, NY 12602-5307

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(NY) 1.5% (CT) PER MONTH
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CUSTOMER INVOICE



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SOLD TO

HOLTSVILLE CASH ACCT
 HOLTSVILLE
 HOLTSVILLE NY 11742

SHIP TO

| INVOICE NUMBER | INVOICE DATE | CUSTOMER NO. | CUSTOMER PURCHASE ORDER NUMBER | STORE | DIV | SALESMAN | TERMS | PAGE |
|----------------|--------------|---------------|--------------------------------|------------------|------------|---------------|-----------|------------------|
| HV44935 | 08-25-06 | 01424 | STEVE | 02 | P | | 1 | 5 |
| PSO/WO NO. | DOC DATE | PC | LC | MC | SHIP VIA | | | INVOICE SEQ. NO. |
| HV44935 | 07-21-06 | 10 | 10 | 10 | | | | 1 |
| MAKE | MODEL | SERIAL NUMBER | | EQUIPMENT NUMBER | | METER READING | | MACH. ID NO. |
| AA | 3406 | 09WR00833 | | | | | | |
| QUANTITY | ITEM | *N/R | DESCRIPTION | | UNIT PRICE | | EXTENSION | |

* * * PROFORMA INVOICE * * *

| | | | |
|------|------------------|---------|------------|
| | TOTAL PARTS | SEG. 01 | 19325.80 * |
| | | F/R LBR | 11962.00 * |
| 1.00 | SUPERLUBE | | 8.99 |
| 1.00 | PAINT SUPPLIES | | 38.25 |
| 1.00 | FREIGHT IN | | 75.94 |
| | TOTAL MISC CHGS | SEG. 01 | 123.18 * |
| | SEGMENT 01 TOTAL | | 31410.98 T |

 SUFFOLK CTY SALE TAX 2709.20 T

**DUE TO THE RISING COST OF DIESEL FUEL, H.O. PENN HAS ADDED A \$20
 FUEL SURCHARGE TO FIELD SERVICE INVOICES. AS MARKET CONDITIONS CHANGE,
 WE WILL RE-EVALUATE THE NEED FOR THIS CHARGE.**

* * * C A S H * * *

* - NOT RETURNABLE

34120.18

PAYMENT TERMS:

| | |
|--------------------------|-------|
| Parts, Service | Net30 |
| Equipment Sales, Rentals | Net10 |
| Generator Rentals | Net10 |
| Generator Sales | Net10 |

Warranty information is
 available from your sales
 representative.

INVOICE

HV44935

CUSTOMER

01424

PAY THIS
AMOUNT

34120.18

CREDIT
AMOUNT

PLEASE REMIT WITH THIS STUB TO:

H. O. PENN MACHINERY COMPANY, INC.
 PO Box 5307
 POUGHKEEPSIE, NY 12602-5307

A SERVICE CHARGE OF 2.0%
 (NY) 1.5% (CT) PER MONTH
 WILL BE CHARGED ON THE
 UNPAID BALANCE IF NOT
 PAID WITHIN TERMS.

BUTTER 06-14-06

3406

516-526-11 84

516-745-6106

516-745-6100 x102

Pants

\$ 19,163.57



660 Union Ave. • Holtsville, NY 11742 • (631) 654-4465 • FAX (631) 758-7558

July 27, 2006

Steve Ferdel

Attention; Steve

As a follow up to your request for a proposal to overhaul your CAT 3406 engine (s/n 9WR00830) due to an over heat failure, we are pleased to supply you with the following proposal.

H.O. Penn Machinery Co., Inc. will supply one technician to disassemble the engine and perform the following services.

Replace cylinder head
Replace cylinder packs
Replace injectors
Replace fresh & raw water pumps
Replace temperature regulator
Replace exhaust manifold studs & nuts
Replace oil & fuel filters
Replace all necessary gaskets & seals
Replace rod & main bearings

Upon disassembly we will attempt to back wash the heat exchanger to clean out the materials that is causing the blockage. If we are unable to successfully clean the heat exchanger we will have to disassemble the unit to clean it and additional charges will be added on.

Flat rate \$31,625.00 plus tax if applicable

Parts \$19,663.00 Labor \$11,962.00

Flat rate to disassemble, clean, & reassemble heat exchanger \$4,095.00

Prices are valid for 60 days

Upon completion of the service we will test run the unit for proper operation and supply you with a detailed service report.

If at any time during the overhaul process something is discovered that is not covered under this proposal the customer will be notified and advised.

NOTE: Injectors, water pumps, and connecting rods are CAT remanufactured and must pass reusability guidelines or the customer will be notified of any additional charges.

If this is proposal acceptable please sign and return it along with your method of payment.

Best regards,

Mark Ostroff
EPG Product Support Sales Representative
H.O. Penn Machinery Co., Inc.

H.O. PENN MACHINERY CO., INC.

699 BRUSH AVENUE
BRONX, NY 10465
(718) 552-2850

660 UNION AVENUE
HOLTSVILLE, NY 11742
(631) 654-4465

122 NOXON ROAD
POUGHKEEPSIE NY 12603
(845) 452-1250

225 RICHARD STREET
NEWINGTON, CT 06111
(860) 666-8474

Customer Signature

161-6193

Work Sheet

Customer: Steve Ferdel

Customer #:

Engine Model # 3406

Engine Serial # 9WR00830

Parts:

Parts listed on attached sheets \$19,163.57

Misc \$500.00

Heat exchanger

\$3,000.00 parts and \$1,093.92 (8 hrs labor) -

\$ 4,095.00

Attempt to backwash unit first through return.

Add
on

Labor:

64

@

136.74

\$8,751.36

@

205.11

@

273.48

Miles:

@

2.75

Tolls:

\$28,414.93

Env:

+ Time To build up
Cyl Pockets

1093.92

Total:

+ Time To Backwash
Heat Exchanger

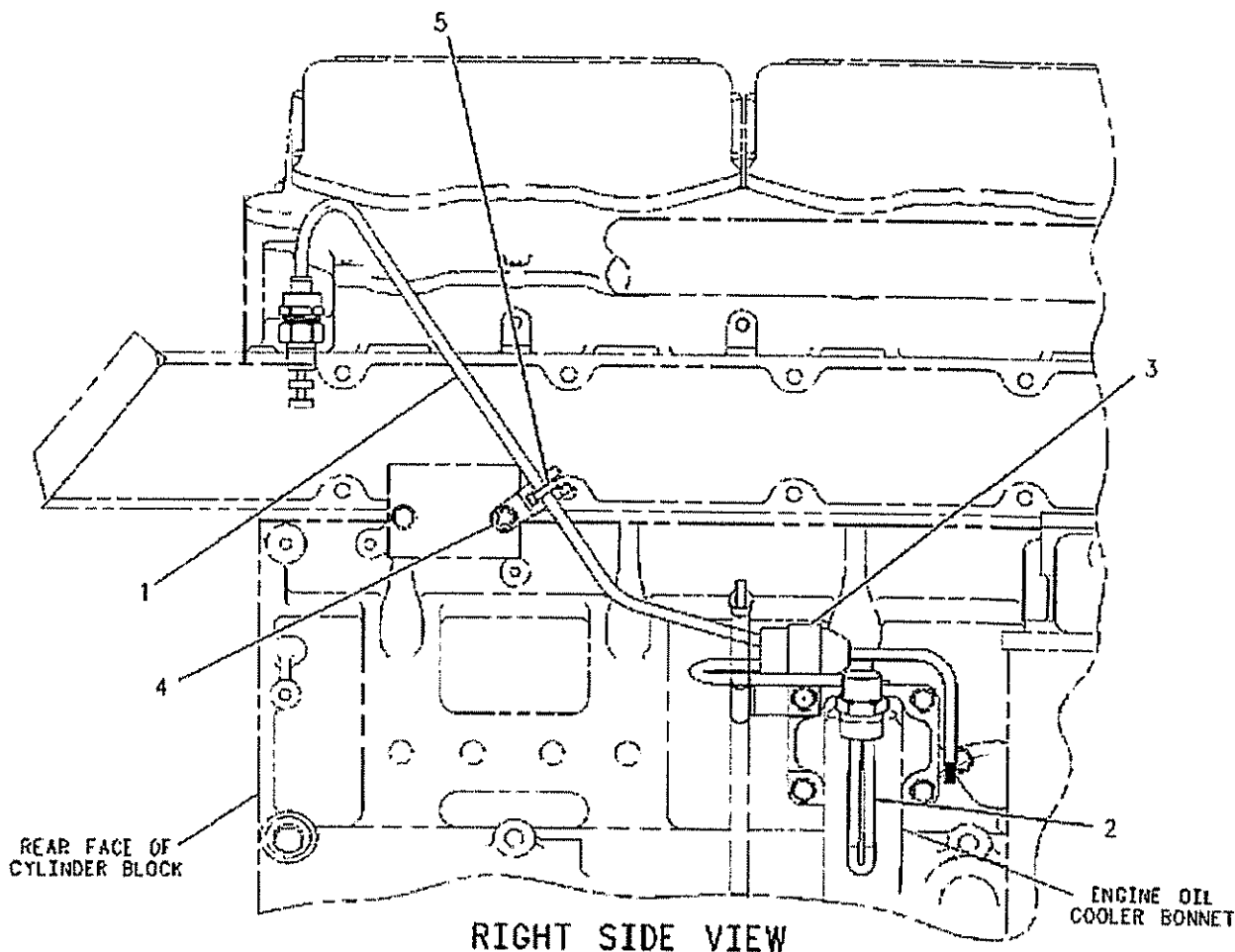
1093.92

\$ 31,625.00

\$ 30,602.77

Previous Screen

Product: MARINE ENGINE
Model: 3406E MARINE ENGINE 9WR
Configuration: 3406E Marine Engine 9WR00001-UP



GRAPHIC #1
g00263641

3406E Marine Engine

Media Number - SEBP2555-32 | Publication Date - 01/04/2006 | Date
Updated - 27/04/2006

102005247

**125-4350 HEATER GP-JACKET WATER
1500-WATT, 120-VOLT, 12.5-AMPERE
AN ATTACHMENT**

ENTIRE GROUP

| Ref. | Qty. | NPR Note | Part No. | Part Name |
|------|------|------------|----------|------------------------|
| Grp | | <u>NPR</u> | 125-4350 | HEATER GP-JACKET WATER |

SERVICE CALL INFORMATION SHEET

CALL REC'D BY _____ DATE _____ TIME _____

CALLER: _____ PHONE # _____ BUS: _____

REPRESENTING Steele RES: 516-526-1194ADDRESS Ford TAX CODE _____

DELIVERY DATE _____

CUSTOMER? Y/N _____ WARRANTY? Y/N _____ ACCT # _____ C/A# _____

CONSTRUCTION _____ TRUCK _____ MARINE ☒ GEN SET _____ OTHER _____MAKE _____ MODEL 3406 SERIAL # _____

SMR _____ MILEAGE _____ MACHINE ID# _____

MACHINE PRESENT LOCATION _____

PROBLEM DESCRIPTION O/Va heatM. SUGARTURBO

CALLER REQUESTS:

SHOP SERVICE _____ FIELD SERVICE _____ ESTIMATE _____ INFO _____

MACHINE: _____ PICKED UP BY _____

DROPPED OFF BY _____

NOTES: Travelers

H.O. PENN MACHINERY COMPANY, INC.

STORE 12 DATE 8-22-06

THIS TAG VERIFIES RECEIPT OF CORES

FROM:

CUST.
NAME _____

ACCT. NO. _____

DOC. NO. _____

W/O. 4044935

PART (S) NO. _____

10R-0483

REC'D BY: _____

KAL
H.O. PENN EMPLOYEE

RECEIPT / TAG

CUSTOMER NOTE

THIS IS YOUR RECEIPT. PLEASE HOLD
IF CREDIT IS NOT REC'D WITHIN ONE WEEK
OF THE ABOVE DATE PLEASE CONTACT
THE PARTS DEPARTMENT AT:

HOLTSVILLE (516) 758-7500

WHT-CUST.

YEL.-FILE

CARD PART

H.O. PENN MACHINERY COMPANY, INC.

STORE (2) DATE 8-22-06

THIS TAG VERIFIES RECEIPT OF CORES

FROM:

CUST.
NAME _____

ACCT. NO. _____

DOC. NO. _____

HV 44935

W/O. _____

PART (S) NO. (1) OR 7881

(6) 10R 0959

(6) OR 3780

all 10R 0959

REC'D BY: _____

KN
H.O. PENN EMPLOYEE

RECEIPT / TAG

CUSTOMER NOTE

THIS IS YOUR RECEIPT. PLEASE HOLD
IF CREDIT IS NOT REC'D WITHIN ONE WEEK
OF THE ABOVE DATE PLEASE CONTACT
THE PARTS DEPARTMENT AT:

HOLTSVILLE (516) 758-7500

WHT-CUST.

YEL-FILE

CARD-PART

WORK ORDER OPEN SUMMARY



CASH
TERMS

AA
MAKE

01424
CUST NUMB

HOLTSVILLE
CUSTOMER NAME

CASH ACCT

ID NUMBER

3406
MODEL

09WR00833
SERIAL NUMBER

REPAIR ENGINE

ENGINE OVERHEATED CRACKED CYLINDER HEAD, CYLINDER
LINERS RUSTED



Std Hrs .00

SEGMENT
01

B37FSS2 06/17/2005
HV44935
WORK ORDER
0
CURRENT SMU

HV44935

SERVICE CALL INFORMATION SHEET

CALL REC'D BY _____ DATE _____ TIME _____

CALLER: Steve Ferdel PHONE # BUS: _____REPRESENTING Steve RES: 516-526-1194ADDRESS Ferdel TAX CODE _____

DELIVERY DATE _____

CUSTOMER? Y/N _____ WARRANTY? Y/N _____ ACCT # _____ C/A# _____

CONSTRUCTION _____ TRUCK _____ MARINE ☒ GEN SET _____ OTHER _____MAKE _____ MODEL 3456 SERIAL # _____

SMR _____ MILEAGE _____ MACHINE ID# _____

MACHINE PRESENT LOCATION _____

PROBLEM DESCRIPTION

in shop } new
turbo }

CALLER REQUESTS:

6 Hrs SHOP SERVICE _____ FIELD SERVICE _____ ESTIMATE _____ INFO _____

MACHINE: PICKED UP BY _____

DROPPED OFF BY _____

NOTES: _____

Travelers | No Turbo manifold

3456 94R830

Heat Exchanger

3,000 Parts + 8 Hrs

10,000 Ven

HOLTSVILLE, LI, L.I.E. AND NICOLLS RD.
POUGHKEEPSIE, N.Y., 122 NOXON RD.
NEWINGTON, CONN., 225 RICHARD ST.
BRONX, N.Y., 699 BRUSH AVE.
BLOOMINGBURG, N.Y., 783 BLOOMINGBURG RD
631-758-7500
845-452-1200
860-666-8401
718-863-3800
845-733-6400

PACKING LIST

* EXPIRES 08/26/06
CUSTOMER NO. SHIP TO

CASH

FOR INQUIRIES PLEASE
REFERENCE THIS NUMBER

DOCUMENT NO. 02Q004332

SOLD TO

HOLTSVILLE CASH ACCT
HOLTSVILLE
HOLTSVILLE NY 11742

01424

STORE
02

| | | | | | |
|------------|-----------|-----------------|--------------|-------------------|----------------------|
| ORDERED BY | TELEPHONE | CUST. ORDER NO. | INSTRUCTIONS | DELIVERY LOCATION | SHIP VIA |
| MARK | | | | | |
| MAKE P/C | MODEL | SERIAL NUMBER | EQUIP. NO | ARRANGEMENT NO | DATE |
| AA E 3406 | 09WR00830 | | | | 7/26/06 15:42:14 BJC |
| | | | | | REFERENCE NO. |
| | | | | | ENT BY |
| | | | | | 2 |

| ITEM | --- | QUANTITY--- | PART NUMBER/ |
|--------------------------------------|------------|-------------|--------------|
| NO. | ORDER SHIP | B/O | DESCRIPTION |
| PARTS SALES PERSON: BRIAN J. CARROLL | | | |

| LOCATION | N/R | TR | SOS | GROSS WEIGHT | UNIT PRICE | EXTD PRICE |
|----------|-----|----|-----|--------------|------------|------------|
|----------|-----|----|-----|--------------|------------|------------|

USD SELL TOTAL 129.29

| ITEMS MARKED | ARE NOT-RETURNABLE | ** SIGNATURE REQUIRED ** | * RELEASE WHEN SHIPPED * | B37FPGC | 05/12/06 |
|--------------|--------------------|--------------------------|--------------------------|---------|----------|
| | | | | | |

ITEMS MARKED ** ARE NOT-RETURNABLE

CUSTOMER OR HIS AGENT ACKNOWLEDGES RECEIPT OF THE ITEMS INDICATED AS SHIPPED ABOVE AND AGREES THAT THE TERMS, CONDITIONS AND LIMITATIONS PRINTED ON THIS DOCUMENT WILL APPLY TO ALL ITEMS LISTED HEREON.

RECEIVED BY

DATE

3456
9WR00830

155-2246

| | | | |
|---|-------------------------------|---------------------------------|---|
| 1 | Reman Cyl Head | 187-2112 | ★ |
| 6 | Reman Cyl Packs | Print out | |
| 6 | Reman Injectors | ⑥ 1010959 | |
| 1 | Reman Water Pump | 1010483 | |
| 1 | Reman Raw Water Pump | 01-7881 | |
| 1 | Front Crank Seal | 142-5867 | |
| 1 | Rear Crank Seal | 142-5868 | |
| 1 | Aftercooler Gasket Kit | ③ 123-5205 ③ 300649 ③ 6V1903 | |
| 1 | Cyl Head Gskt Kit | ③ 6V5656 ③ 707117 ③ 6V5049 | |
| 1 | Pan Gskt Kit | ③ 6V4365 ③ 6V5045 ③ 8L286 | |
| 1 | Exhaust manifold Studs & Nuts | ④ 123661 ④ 5R8068 ④ 505846 | |
| 1 | Temperature Regulator | ④ 212766 ④ 129-9452 | |
| 1 | Oil Filter | ④ 572894 ④ 106-1792 | |
| 1 | Fuel Filter | 285513, 124-9052, 339643, 11156 | |
| 1 | Gallons Oil | 110716 | |
| 1 | Turbo Gasket Kit | 110749 | |
| | | ③ 329713 ③ 248-7518 | |
| | | ① 717273 ④ 202766 | |
| | | ① 652245 ① 507530 ① 114-2687 | |

103-6045

166-9144

③ 7X 4805

9\$ 4191

155-3629

220931

③ 6L1650

Superior Specialized Services, Inc.

Full Service Engine and Generator Repairs
Factory Certified

- Cummins
- Onan
- Yanmar
- Caterpillar
- Westerbeke



Robert Hyers
10A Matincock Avenue
Port Washington, NY 11050
Phone: 516-883-2404
Fax: 516-706-1517
Cell: 631-807-2334

New Installations & Road Service

QWR 833

H.O. PENN MACHINERY COMPANY, INC.

STORE 02 DATE 8-22-06

THIS TAG VERIFIES RECEIPT OF CORES

FROM:

CUST.
NAME _____

ACCT. NO. _____

DOC. NO. _____

W/O. LV 44935

PART (S) NO. _____

10R-0483

REC'D BY: KW
H.O. PENN EMPLOYEE

RECEIPT / TAG

CUSTOMER NOTE

THIS IS YOUR RECEIPT. PLEASE HOLD
IF CREDIT IS NOT REC'D WITHIN ONE WEEK
OF THE ABOVE DATE PLEASE CONTACT
THE PARTS DEPARTMENT AT:

HOLTSVILLE (516) 758-7500

WHT-CUST.

YEL.-FILE

CARD-PART

Customer Name & Address Detail

Inquiry Serial Number: [View PDF Report](#)

Check to Update ☐

Prime Sales Model: 3406E
Prime Serial Number: 9WR00833
Delivery Date: 02May2000 Declaring Dealer: D340
Customer Number:

Customer Name: STEVEN D FRIEDEL

Customer Phone Number:

Address Line 1: 11 MITCHELL DR

Address Line 2:

Address Line 3:

Address Line 4:

City: KINGS POINT

State/Province: NY

Zip/Postal Code: 11024-1236

Country: USA

Sales Contact: (First Name) Bobby
 (Last Name) Chan
 (Phone Number)

Service Contact: (First Name) Richard
 (Last Name) Brock
 (Phone Number)

Addressing Dealer:

Last Update Date: 31May2000

Check to Update ☐

Caterpillar Confidential: Yellow

[SIMSi Support](#)

[Send Feedback](#)

[Data Privacy](#)

Last Updated: Mon Jul 17 12:26:29 EDT 2006

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- H.O. PENN HOLTSVILLE STORE
W/O: HV44935 *CASH*

7/21/06
8:45:43
opened 7/21/06

837FSS1
HV44935

-- Equipment --

Customer Info--

-- Additional Info --

Make: AA Model: 3406
S/N: 09WR00833

HOLTSVILLE CASH ACCT

Cust No: 01424
Vertime Authoriz

| | | | |
|----------------|---------|-------|--|
| Smu: | 0 | Arr#: | |
| Delivery Date: | 0/00/00 | | |

Cust Agent:
Agent Phone:

To Arrive: 0/00/00
Promised: 0/00/00
Cost: 0/00/00

Customer Equipment No.:
Engine / Info:

P/O Required: Yes

EST by: TW

Perf Spec:

Arr#
RDM

| | | | | |
|----------|----------|----------|----------|----------|
| T_{x1} | T_{x2} | T_{x3} | T_{x4} | T_{x5} |
| T_{x1} | T_{x2} | T_{x3} | T_{x4} | T_{x5} |

Tax Exempt No.:

Related / Driven:

PCC:10 LCC:10 MCC:10

VAT INVOICE NO:

Cab Type:

Arx#:

[illegible]

2

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Ship To / Mach Loc / Via

Special Instructions

Test
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| SG | OP | JOB | DESCRIPTION |
|----|----|-----|-------------|
| ST | CC | | |

PI

AMOUNT

01 REPAIR ENGINE

MS ENGINE OVERHEATED CRACKED CYLINDER HEAD, CYLINDER LINERS RUSTED

o/o o/o o/o
.. ..

SEGMENT 01

| | | | | | | | | |
|-----|------|----|----|----|----|----|----|-----|
| JC | CP | MC | QC | BG | SF | WA | JL | CON |
| 023 | 1000 | | | | S | | | |

STD HOURS MECH

THIS UNIT IS NOT ON THE MACHINE POPULATION FILE
NO PIP/PSF FOR THIS MACHINE

H.O. PENN MACHINERY COMPANY, INC.
STORE 2 DATE 8-22-08
THIS TAG VERIFIES RECEIPT OF CORES

FROM:
CUST NAME _____
ACCT NO. _____
DOC. NO. _____

W/O. HV 44935

PART (S) NO. ① 0R 7881
⑥ 10R 0959
⑥ 0R 3780
⑥ 0R 0959
⑥ 0R 0959

REC'D BY: KN
H.O. PENN EMPLOYEE

RECEIPT / TAG

CUSTOMER NOTE
THIS IS YOUR RECEIPT. PLEASE HOLD
IF CREDIT IS NOT REC'D WITHIN ONE WEEK
OF THE ABOVE DATE PLEASE CONTACT
THE PARTS DEPARTMENT AT:
HOLTSVILLE (516) 758-7500

WHT-CUST. _____
YEL-FILE _____
CARD-PART _____

Exh "B"

Job Closing Authorization

Work Order #

1449130

| | | | |
|-------------------|------------|---------------|------------|
| Date Opened | 5-14-07 | Customer Name | H.V. Caron |
| Make | AA | Model | 3400 |
| Serial Number | 09WLP11833 | Hours | |
| Person to Contact | | | |

Warranty: YES NO (If yes, please fill out reverse side)

COD: YES NO Is money collected? YES NO Initial

Deductible: YES NO Is money collected? YES NO Initial

Notes to be added:

Special Message to:

Change entire Customer # to:

Change segment # to Customer # Add P.O. #

Other Changes

Mechanic and/or Foreman - please place your initials in space provided

Initials

1. Is the correct **service meter units** reading recorded on the Job Closing Summary (If truck has a hubometer record it also)? Yes No

Mechanic - please place your initials in the spaces provided

1. Are **model** and **serial numbers** correct on Job and Service Reports? Yes No
2. Is there a **Service Report** to cover each repair adequately (**Complaint, cause, correction**)? Yes No
3. Do the Service Reports **justify** all **parts** used? Yes No
4. Have all **Parts Credits** and Remanufactured or Exchange **core credits** been **accounted** for? Yes No
5. Have all **timecards** been **turned in**? Yes No
6. Is there a **Partners in Quality** suggestion? Yes No


Foreman / Leadman

Date Closed


Mechanic

Date Closed

Customer HV49130
Contact J
Phone # _____
Machine Make _____
S/N Fordel
Cab Type _____
Date In Service _____
Miles/Hours _____
Machine ID George Farnell
Engine Model _____
Engine S/N 718-409-4098
Engine Arrg # 967 86 5668
Performance Spec # _____
HP at RPM (5000) _____


| | | | | | | | | | | | |
|---|--------------------|---|------------------------|--|----|----|--------------------|-------|----------|----|----|
| Work Order# HV49130 | Seg # 01 | Employee Name EWIK ABRAHAMSEN | Date 5/11/07 | Approved by: | | | | | | | |
| Customer Name FENDL | | Employee # 4306 | |  External <input checked="" type="checkbox"/> Internal <input type="checkbox"/> Expense <input type="checkbox"/> | | | | | | | |
| Model 3406 | SMR 674 | Job Std Hours | | | | | | | | | |
| Serial # 9WR00833 | | STOP | | | | | | | | | |
| | Misc Chg Code | Labor Chg Code | Class | RT | OT | DT | Labor Chg Code | Class | RT | OT | DT |
| | stop | Veh. Miles | Constr - shp | shp | | | Marine - shp | mar | | | |
| | start | 80 | Constr - field | fld | | | Marine - field | msf | 5 | | |
| | stop | | Constr - travel | trl | | | Marine - travel | mtv | | | |
| | start | Tolls | Steam | cln | | | Marine Commercial | mec | | | |
| 1:30 | stop | | Truck > 30 | ttl | | | Labor & Fringe | lfb | | | |
| 12:30 | start | | Weld | wld | | | Instructor | ins | | | |
| 12:00 | stop | Other | TE - shop or trl | trk | | | Foreman Allocation | for | | | |
| 8:00 | start | | TE - Field | tsf | | | NYC | shp | | | |
| | | Other | EPG - shop & field | epg | | | Compct Const Equip | cce | | | |
| | | | EPG - travel | epf | | | Used Parts | up1 | | | |
| Segment Description: SAMPLES, INSPECT, ELM'S | | | | | | | | | | | |
| Special Instructions: | | | | | | | | | | | |

B37FSTC (08/19/2003)

| | | | | | | | | | | | |
|---|--------------------|---|------------------------|--|----|----|--------------------|-------|----------|----|----|
| Work Order# HV49130 | Seg # 02 | Employee Name EWIK ABRAHAMSEN | Date 5/14/07 | Approved by: | | | | | | | |
| Customer Name FENDL | | Employee # 4306 | |  External <input checked="" type="checkbox"/> Internal <input type="checkbox"/> Expense <input type="checkbox"/> | | | | | | | |
| Model 3406 | SMR 674 | Job Std Hours | | | | | | | | | |
| Serial # 9WR00833 | | | | | | | | | | | |
| | Misc Chg Code | Labor Chg Code | Class | RT | OT | DT | Labor Chg Code | Class | RT | OT | DT |
| | stop | Veh. Miles | Constr - shp | shp | | | Marine - shp | mar | 1 | | |
| | start | | Constr - field | fld | | | Marine - field | msf | | | |
| | stop | | Constr - travel | trl | | | Marine - travel | mtv | | | |
| | start | Tolls | Steam | cln | | | Marine Commercial | mec | | | |
| | stop | | Truck > 30 | ttl | | | Labor & Fringe | lfb | | | |
| | start | | Weld | wld | | | Instructor | ins | | | |
| 9:00 | stop | Other | TE - shop or trl | trk | | | Foreman Allocation | for | | | |
| 8:00 | start | | TE - Field | tsf | | | NYC | shp | | | |
| | | Other | EPG - shop & field | epg | | | Compct Const Equip | cce | | | |
| | | | EPG - travel | epf | | | Used Parts | up1 | | | |
| Segment Description: PAINT HISTORY | | | | | | | | | | | |
| Special Instructions: | | | | | | | | | | | |

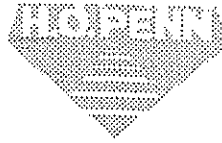
B37FSTC (08/19/2003)




| | | | | | | | | | | | |
|--|---------------|----------------------------------|--------------------|---|-----|----|--------------------|--------------------|-----|-----|----|
| Work Order# HV49130 | Seg # 01 | Employee Name Erik ABRAHAMSEN | Date 5/16/07 | Approved by: | | | | | | | |
| Customer Name HOLTSVILLE CASH 01424 | | Employee # 4306 | |  | | | | | | | |
| Model 3406 | SMR | Job Std Hours 3.00 | | External <input checked="" type="checkbox"/> | | | | | | | |
| Serial # 09WR00833 | | | | Internal <input type="checkbox"/> | | | | | | | |
| | | | | Expense <input type="checkbox"/> | | | | | | | |
| | Misc Chg Code | Labor Chg Code | Class | RT | OT | DT | Labor Chg Code | Class | RT | OT | DT |
| | stop | Veh. Miles | Constr - shp | shp | | | Marine - shp | mar | | | |
| | start | 80 | Constr - field | fld | | | Marine - field | msf | | | |
| | stop | | Constr - travel | trl | | | Marine - travel | mtv | 3 | 1/2 | |
| | start | | Tolls | Steam | cln | | | Marine Commercial | mec | | |
| 5:00 | stop | | Truck > 30 | ttl | | | Labor & Fringe | lfb | | | |
| 3:30 | start | | Weld | wld | | | Instructor | ins | | | |
| 10:00 | stop | | Other | TE - shop or tvl | trk | | | Foreman Allocation | for | | |
| 8:00 | start | | TE - Field | tsf | | | NYC | shp | | | |
| | | Other | EPG - shop & field | epg | | | Compct Const Equip | cce | | | |
| | | | EPG - travel | epf | | | Used Parts | up1 | | | |
| Segment Description: TRAVEL TO/FROM ENGINE | | | | | | | | | | | |
| Special Instructions: ROUT WASHING TOP | | | | | | | | | | | |

B37FSTC (08/19/2003)




| | | | | | | | | | | | |
|--|---------------|----------------------------------|--------------------|---|-----|----|--------------------|--------------------|-----|----|----|
| Work Order# HV49130 | Seg # 02 | Employee Name Erik ABRAHAMSEN | Date 5/16/07 | Approved by: | | | | | | | |
| Customer Name HOLTSVILLE CASH 01424 | | Employee # 4306 | |  | | | | | | | |
| Model 3406 | SMR | Job Std Hours 3.00 | | External <input checked="" type="checkbox"/> | | | | | | | |
| Serial # 09WR00833 | | | | Internal <input type="checkbox"/> | | | | | | | |
| | | | | Expense <input type="checkbox"/> | | | | | | | |
| | Misc Chg Code | Labor Chg Code | Class | RT | OT | DT | Labor Chg Code | Class | RT | OT | DT |
| | stop | Veh. Miles | Constr - shp | shp | | | Marine - shp | mar | | | |
| | start | | Constr - field | fld | | | Marine - field | msf | 5 | | |
| | stop | | Constr - travel | trl | | | Marine - travel | mtv | | | |
| | start | | Tolls | Steam | cln | | | Marine Commercial | mec | | |
| 3:30 | stop | | Truck > 30 | ttl | | | Labor & Fringe | lfb | | | |
| 12:30 | start | | Weld | wld | | | Instructor | ins | | | |
| 12:00 | stop | | Other | TE - shop or tvl | trk | | | Foreman Allocation | for | | |
| 10:00 | start | | TE - Field | tsf | | | NYC | shp | | | |
| | | Other | EPG - shop & field | epg | | | Compct Const Equip | cce | | | |
| | | | EPG - travel | epf | | | Used Parts | up1 | | | |
| Segment Description: TROUBLESHOOT ENGINE Fix oil cooler GOOSENECK, | | | | | | | | | | | |
| Special Instructions: HEAD FUEL INJ PLUG, OIL PAN | | | | | | | | | | | |

B37FSTC (08/19/2003)

| | | | | | | | | | | | | |
|---|--------------------|---|------------------------|---|-----------------------------------|----|----|--------------------|-------|--------------|----|----|
| Work Order# HV49130 | Seg # 02 | Employee Name ENIK ABRAHAMSEN | Date 5/22/07 | Approved by: | | | | | | | | |
| Customer Name FENDEL | | Employee # 4306 | |  | | | | | | | | |
| Model 3406 | SMR | Job Std Hours | | External <input checked="" type="checkbox"/> | Internal <input type="checkbox"/> | | | | | | | |
| Serial # 9WR00833 | | | | Expense <input type="checkbox"/> | | | | | | | | |
| | | Misc Chg Code | Labor Chg Code | Class | RT | OT | DT | Labor Chg Code | Class | RT | OT | DT |
| | stop | Veh. Miles | Constr - shp | shp | | | | Marine - shp | mar | | | |
| | start | | Constr - field | fld | | | | Marine - field | msf | 4 1/2 | | |
| | stop | | Constr - travel | trl | | | | Marine - travel | mtv | | | |
| | start | Tolls | Steam | cln | | | | Marine Commercial | mec | | | |
| 3:00 | stop | | Truck > 30 | ttl | | | | Labor & Fringe | lfb | | | |
| 12:30 | start | | Weld | wld | | | | Instructor | ins | | | |
| 12:00 | stop | Other | TE - shop or tvl | trk | | | | Foreman Allocation | for | | | |
| 10:00 | start | | TE - Field | tsf | | | | NYC | shp | | | |
| | | Other | EPG - shop & field | epg | | | | Compct Const Equip | cce | | | |
| | | | EPG - travel | epf | | | | Used Parts | up1 | | | |
| Segment Description: PU ASSEMBLE | | | | | | | | | | | | |
| Special Instructions: | | | | | | | | | | | | |

B37FSTC (06/19/2003)

| | | | | | | | | | | | | |
|---|--------------------|---|------------------------|---|-----------------------------------|----|----|--------------------|-------|--------------|----|----|
| Work Order# HV49130 | Seg # 01 | Employee Name ENIK ABRAHAMSEN | Date 5/22/07 | Approved by: | | | | | | | | |
| Customer Name FENDEL | | Employee # 4306 | |  | | | | | | | | |
| Model 3406 | SMR | Job Std Hours | | External <input checked="" type="checkbox"/> | Internal <input type="checkbox"/> | | | | | | | |
| Serial # 9WR00833 | | | | Expense <input type="checkbox"/> | | | | | | | | |
| | | Misc Chg Code | Labor Chg Code | Class | RT | OT | DT | Labor Chg Code | Class | RT | OT | DT |
| | stop | Veh. Miles 80 | Constr - shp | shp | | | | Marine - shp | mar | | | |
| | start | | Constr - field | fld | | | | Marine - field | msf | | | |
| | stop | | Constr - travel | trl | | | | Marine - travel | mtv | 3 1/2 | | |
| | start | Tolls | Steam | cln | | | | Marine Commercial | mec | | | |
| 4:30 | stop | | Truck > 30 | ttl | | | | Labor & Fringe | lfb | | | |
| 3:00 | start | | Weld | wld | | | | Instructor | ins | | | |
| 10:00 | stop | Other | TE - shop or tvl | trk | | | | Foreman Allocation | for | | | |
| 8:00 | start | | TE - Field | tsf | | | | NYC | shp | | | |
| | | Other | EPG - shop & field | epg | | | | Compct Const Equip | cce | | | |
| | | | EPG - travel | epf | | | | Used Parts | up1 | | | |
| Segment Description: TAXI 2 PONT W/ASHUB TOP | | | | | | | | | | | | |
| Special Instructions: | | | | | | | | | | | | |

B37FSTC (06/19/2003)




| | | | | | | | | | | | | |
|--|-------------|------------------------------|--------------------|---|----|----|----|--------------------|-------|-------|----|----|
| Work Order# HV49130 | Seg # 02 | Employee Name Tostag 2012 | Date 5-23-07 | Approved by: | | | | | | | | |
| Customer Name HOLTSVILLE CASH 01424 | | Employee # 5194 | | External <input checked="" type="checkbox"/> Internal <input type="checkbox"/> Expense <input type="checkbox"/> | | | | | | | | |
| Model 3406 | SMR | Job Std Hours 3.00 | | | | | | | | | | |
| Serial # 09WR00833 | | | | | | | | | | | | |
| | | Misc Chg Code | Labor Chg Code | Class | RT | OT | DT | Labor Chg Code | Class | RT | OT | DT |
| | stop | Veh. Miles | Constr - shp | shp | | | | Marine - shp | mar | | | |
| | start | | Constr - field | fld | | | | Marine - field | msf | 4 1/2 | | |
| | stop | | Constr - travel | trl | | | | Marine - travel | mtv | | | |
| | start | Tolls | Steam | cln | | | | Marine Commercial | mec | | | |
| 3:00 | stop | | Truck > 30 | ttl | | | | Labor & Fringe | lfb | | | |
| 12:30 | start | | Weld | wld | | | | Instructor | ins | | | |
| 12:00 | stop | Other | TE - shop or tvl | trk | | | | Foreman Allocation | for | | | |
| 10:00 | start | | TE - Field | tsf | | | | NYC | shp | | | |
| | | Other | EPG - shop & field | epg | | | | Compct Const Equip | cce | | | |
| | | | EPG - travel | epf | | | | Used Parts | up1 | | | |
| Segment Description: TROUBLESHOOT ENGINE | | | | | | | | | | | | |
| Special Instructions: | | | | | | | | | | | | |

B37FSTC (06/19/2003)

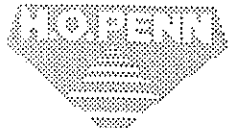
| | | | | | | | | | | | | |
|---|-------------|----------------------------------|--------------------|---|----|----|----|--------------------|-------|-------|----|----|
| Work Order# HV49130 | Seg # 61 | Employee Name ENIK ABRAHAMSEN | Date 5/23/07 | Approved by: | | | | | | | | |
| Customer Name PENNELL | | Employee # 4306 | | External <input checked="" type="checkbox"/> Internal <input type="checkbox"/> Expense <input type="checkbox"/> | | | | | | | | |
| Model 3406E | SMR 674 | Job Std Hours | | | | | | | | | | |
| Serial # 09WR00833 | | | | | | | | | | | | |
| | | Misc Chg Code | Labor Chg Code | Class | RT | OT | DT | Labor Chg Code | Class | RT | OT | DT |
| | stop | Veh. Miles | Constr - shp | shp | | | | Marine - shp | mar | | | |
| | start | | Constr - field | fld | | | | Marine - field | msf | 4 1/2 | | |
| | stop | | Constr - travel | trl | | | | Marine - travel | mtv | | | |
| | start | Tolls | Steam | cln | | | | Marine Commercial | mec | | | |
| 3:00 | stop | | Truck > 30 | ttl | | | | Labor & Fringe | lfb | | | |
| 12:30 | start | | Weld | wld | | | | Instructor | ins | | | |
| 12:00 | stop | Other | TE - shop or tvl | trk | | | | Foreman Allocation | for | | | |
| 10:00 | start | | TE - Field | tsf | | | | NYC | shp | | | |
| | | Other | EPG - shop & field | epg | | | | Compct Const Equip | cce | | | |
| | | | EPG - travel | epf | | | | Used Parts | up1 | | | |
| Segment Description: STUP PANTS, REMOVED HEAD | | | | | | | | | | | | |
| Special Instructions: | | | | | | | | | | | | |

B37FSTC (06/19/2003)

| | | | | | |
|---|------------------|-----------------------------------|-----------------|---|----|
| Work Order# HV49130 | Seg # 01 | Employee Name EUNIK ABRAHAMSEN | Date 5/23/07 | Approved by: | |
| Customer Name FENDRILL | | Employee # 4306 | |  External <input checked="" type="checkbox"/> Internal <input type="checkbox"/> Expense <input type="checkbox"/> | |
| Model 3406E | SMR 679 | Job Std Hours | | | |
| Serial # QWR00833 | | | | | |
| | Misc Chg Code | Labor Chg Code | Class | RT | OT |
| | Veh. Miles 80 | Constr - shp | shp | | |
| | | Constr - field | fld | | |
| | | Constr - travel | trl | | |
| | Tolls | Steam | cln | | |
| | | Truck > 30 | ttl | | |
| | | Weld | wld | | |
| | Other | TE - shop or tvl | trk | | |
| | | TE - Field | tsf | | |
| | | EPG - shop & field | epg | | |
| | Other | EPG - travel | epf | | |
| | | | | | |
| | | | | | |
| Segment Description: TRAVEL PORT WASHINGTON | | | | | |
| Special Instructions: | | | | | |

B37FSTC (06/19/2003)



| | | | | | |
|--|------------------|-----------------------------|-----------------|---|----|
| Work Order# HV49130 | Seg # 01 | Employee Name TESTAGROSE | Date 5-23-07 | Approved by: | |
| Customer Name HOLTSVILLE CASH 01424 | | Employee # 5194 | |  External <input checked="" type="checkbox"/> Internal <input type="checkbox"/> Expense <input type="checkbox"/> | |
| Model 3406 | SMR | Job Std Hours 3.00 | | | |
| Serial # 09WR00833 | | | | | |
| | Misc Chg Code | Labor Chg Code | Class | RT | OT |
| | Veh. Miles 80 | Constr - shp | shp | | |
| | | Constr - field | fld | | |
| | | Constr - travel | trl | | |
| | Tolls | Steam | cln | | |
| | | Truck > 30 | ttl | | |
| | | Weld | wld | | |
| | Other | TE - shop or tvl | trk | | |
| | | TE - Field | tsf | | |
| | | EPG - shop & field | epg | | |
| | Other | EPG - travel | epf | | |
| | | | | | |
| | | | | | |
| Segment Description: TRAVEL TO/FROM ENGINE | | | | | |
| Special Instructions: | | | | | |

B37FSTC (06/19/2003)

To: steve ferdell

From: Mike Bockler

5-21-07 10:19am p. 2 of 2



Customer Authorization Form

Customer Name STEVEN FRIEDEL Date 5/21/07
 Vessel Name (if marine) TABO O Contact Name _____
 Address 151 E. 58th St City NYC State NY Zip 10022
 Phone 516-526-1194 Fax 516-745-6106 Equipment Make CAT Model 3406E
 Stbd. Serial # 09WR00833 Hrs. _____ Port Serial # 00824 Hrs. _____
 Requested Service REPAIR

Repair Authorization

Customer hereby authorizes repair work to be performed using the necessary material and hereby grants H.O. Penn Machinery Co., Inc. (H.O. Penn) and its employees permission to operate the equipment for the purpose of testing and/or inspection. An express mechanics lien on the equipment is hereby granted to H.O. Penn to secure payment of any work performed on the equipment. H.O. Penn shall not be responsible for any incidental or consequential damages which are not a direct result of any intentional or negligent act by H.O. Penn, its agents, or representatives.

Labor charges begin upon our technician leaving our facility and will continue through the technician completing the repair and returning to our facility. Hourly labor rates shall be charged in accordance with H.O. Penn's published rates in effect at that time. All service work performed and parts not covered by warranty are the customer's responsibility.

Method of Payment (Please select one)

____ Customer maintains a pre-approved open account line of credit with H.O. Penn and hereby authorizes H.O. Penn to place all charges thereupon

____ Customer agrees that they have requested H.O. Penn perform said work on a CASH/COD basis and agrees that any services performed or purchases made shall be immediately paid for in the form of cash, bank card, or credit card. Customer acknowledges that H.O. Penn has not extended credit terms. Customer further acknowledges, in the event of incomplete payment or failure to remit good payment, H.O. Penn shall be entitled to a monthly FINANCE CHARGE computed at a PERIODIC RATE of One and a Half Percent (1 1/2 %) per month on the unpaid portion of any balance owing as of the previous month. If it should become necessary to hire an attorney to collect any balance owing, H.O. Penn may also recover from Customer its reasonable attorney's fee incurred in connection with the collection of all unpaid amounts, to the extent provided by law. H.O. Penn and Customer hereby agree that 20% of the balance of the principal and Finance Charges outstanding at the time the lawsuit is filed shall be a reasonable attorney's fee.

H.O. Penn requires a 50% deposit on repairs expected to exceed Two Thousand Five Hundred Dollars (\$2500.00). The deposit may be paid by: cash, pre-approved check, certified or cashiers check, Visa, MasterCard, American Express, or Discover Card only. All credit cards will be processed for pre-approval.

H.O. Penn requires credit card information before work will be started on repairs estimated to be less than Two Thousand Five Hundred Dollars (\$2500.00)

The foregoing terms are acknowledged and agreed to by:

Signature [Signature] Date 5/21/07
 Print Name & Title STEVEN FRIEDEL - OWNER

If H.O. Penn accepts payment by credit card and credit card information is obtained by phone/fax, Customer is required to complete the authorization below:

I, STEVEN FRIEDEL authorize H.O. Penn to accept my: ☐ Visa ☒ MasterCard ☐ American Express

Credit Card # 5466 1602 3320 2827 Exp. Date 6/08 Signature [Signature]

Print Name (as it appears on the card) STEVEN FRIEDEL Date 5/21/07

Billing Address 151 E. 58th St, NYC, NY 10022



FAX Cover Page

H O Penn Machinery Company, Inc.
660 Union Avenue
Holtsville, NY 11742

FACSIMILE

Date: 5/21/2007

To:

steve ferdell

From:

Mike Mockler

P. 631 654-4415

P. 845-437-4131

Subject: Customer Responsibility Form2.doc

Please fill out and return

<<Customer Responsibility Form2.doc>>

Please call the originator or regarding any transmission difficulty. The information contained in this facsimile transmission is legally privileged and confidential information intended only for the use of the addressee. If the recipient/reader of this transmission is not the intended addressee, you are hereby notified that any dissemination, distribution or copying of this transmission is strictly prohibited. If you have received this transmission in error, please notify us immediately by collect telephone call and return the original transmission to us at the address above by regular mail. Thank you.

FAX TRANSMISSION

Ethical • Success • Quality • Communication

SALES DRAFT

HO PENN MACHINERY
660 UNION AVE
HOLTSVILLE, NY 11742
TERMINAL 0943109

235171312996
06/20/2007 09:37:54

MC: XXXXXXXXXXXX2827
AUTH. TRANS. ID. MCILLEEPS
INVOICE 74003 @02
AUTH. CODE 060042
AV. CODE NN

SALE TOTAL \$7498.87

CUSTOMER COPY

CUSTOMER INVOICE

H.O.PENN CAT**H. O. PENN MACHINERY COMPANY, INC.**BLOOMINGBURG, NY
BRONX, NY
DANBURY, CT
HOLTSVILLE, NY
NEWINGTON, CT
POUGHKEEPSIE, NY783 BLOOMINGBURG RD, 12721
699 BRUSH AVENUE, 10465
30 OLD MILL PLAIN RD, 06810
660 UNION AVENUE, 11742
225 RICHARD STREET, 06111
122 NOXON ROAD, 12603845-733-6400
718-863-3800
203-798-8644
631-758-7500
860-666-8401
845-452-1200*moved in
6/20/07*

SOLD TO

HOLTSVILLE CASH ACCT
HOLTSVILLE
HOLTSVILLE NY 11742

SHIP TO

*m/c
5460-1602-3320-2827
Exp 6/08*

| INVOICE NUMBER | INVOICE DATE | CUSTOMER NO | CUSTOMER PURCHASE ORDER NUMBER | STORE | DIV | SALESMAN | TERMS | PAGE |
|----------------|--------------|---------------|--------------------------------|-------|------------------|------------|---------------|------------------|
| HV49130 | 06-18-07 | 01424 | FERDEL | 02 | M | | 1 | 1 |
| PSO/WO NO. | DOC DATE | PC | LC | MC | SHIP VIA | | | INVOICE SEQ. NO. |
| HV49130 | 05-14-07 | 10 | 10 | 10 | | | | 1 |
| MAKE | MODEL | SERIAL NUMBER | | | EQUIPMENT NUMBER | | METER READING | MACH. ID NO. |
| AA | 3406 | 09WR00833 | | | | | | |
| QUANTITY | ITEM | *N/R | DESCRIPTION | | | UNIT PRICE | | EXTENSION |

* * * PROFORMA INVOICE * * *

DISASSEMBLE ENGINE FOR DAMAGE FOUND FREEZE OUT
PLUGS BLOWN OUT FOUND CYL HEAD CRACKED SUSPECT
BLOCK DAMAGE REMOVE ENGINE FOR REBUILD.

TRAVEL TO/FROM ENGINE

| | | | | | |
|--------|----------|------------------|---------|-------|-----------|
| 2 | COOLANT1 | SINGLE COOLANT | S | 13.00 | 26.00 |
| | | TOTAL PARTS | SEG. 01 | | 26.00 * |
| | | MAR FIELD LABOR | | | 1301.50 |
| | | MAR TRAVEL LABO | | | 1952.50 |
| | | TOTAL LABOR | SEG. 01 | | 3254.00 * |
| 400.00 | | MILEAGE | | | 1100.00 |
| | | TOTAL MISC CHGS | SEG. 01 | | 1100.00 * |
| | | SEGMENT 01 TOTAL | | | 4380.00 T |

TROUBLESHOOT ENGINE

MAR SHOP LABOR 129.00

* - NOT RETURNABLE

CONT'D

PAYMENT TERMS:

| | |
|--------------------------|-------|
| Parts, Service | Net30 |
| Equipment Sales, Rentals | Net10 |
| Generator Rentals | Net10 |
| Generator Sales | Net10 |

INVOICE HV49130 CUSTOMER 01424

PAY THIS
AMOUNT

CONT'D

CREDIT
AMOUNT

PLEASE REMIT WITH THIS STUB TO:

H. O. PENN MACHINERY COMPANY, INC.
PO Box 5307
POUGHKEEPSIE, NY 12602-5307Warranty information is
available from your sales
representative.A SERVICE CHARGE OF 2.0%
(NY) 1.5% (CT) PER MONTH
WILL BE CHARGED ON THE
UNPAID BALANCE IF NOT
PAID WITHIN TERMS.

B3779V 04-05-07

CUSTOMER INVOICE

H.O.PENN CAT**H. O. PENN MACHINERY COMPANY, INC.**BLOOMINGBURG, NY
BRONX, NY
DANBURY, CT
HOLTSVILLE, NY
NEWINGTON, CT
POUGHKEEPSIE, NY783 BLOOMINGBURG RD, 12721
699 BRUSH AVENUE, 10465
30 OLD MILL PLAIN RD, 06810
660 UNION AVENUE, 11742
225 RICHARD STREET, 06111
122 NOXON ROAD, 12603845-733-6400
718-863-3800
203-798-8644
631-758-7500
860-666-8401
845-452-1200

SOLD TO

SHIP TO

HOLTSVILLE CASH ACCT
HOLTSVILLE
HOLTSVILLE NY 11742

| INVOICE NUMBER | INVOICE DATE | CUSTOMER NO | | CUSTOMER PURCHASE ORDER NUMBER | | STORE | DIV | SALESMAN | TERMS | PAGE |
|----------------|--------------|---------------|------|--------------------------------|------------------|-------|---------------|----------|------------------|------|
| HV49130 | 06-18-07 | 01424 | | FERDEL | | 02 | M | | 1 | 2 |
| PSQ/WO NO. | DOC DATE | PC | LC | MC | SHIP VIA | | | | INVOICE SEQ. NO. | |
| HV49130 | 05-14-07 | 10 | 10 | 10 | | | | | 1 | |
| MAKE | MODEL | SERIAL NUMBER | | | EQUIPMENT NUMBER | | METER READING | | MACH. ID NO. | |
| AA | 3406 | 09WR00833 | | | | | | | | |
| QUANTITY | ITEM | | *N/R | DESCRIPTION | | | UNIT PRICE | | EXTENSION | |

* * * PROFORMA INVOICE * * *

MAR FIELD LABOR 1918.00
SHOP LABOR 387.00

TOTAL LABOR SEG. 02 2434.00 *

1.00 FREIGHT OUT 71.04

TOTAL MISC CHGS SEG. 02 71.04 *

SEGMENT 02 TOTAL 2505.04 T

FUEL SURCHARGE 20.00 T
SUFFOLK CTY SALE TAX 593.83 T

DUE TO THE RISING COST OF DIESEL FUEL, H.O. PENN HAS ADDED A \$20 FUEL SURCHARGE TO FIELD SERVICE INVOICES. AS MARKET CONDITIONS CHANGE, WE WILL RE-EVALUATE THE NEED FOR THIS CHARGE.

* * * C A S H * * *

* - NOT RETURNABLE

7498.87

INVOICE HV49130 CUSTOMER 01424

PAY THIS AMOUNT

7498.87

CREDIT AMOUNT

PLEASE REMIT WITH THIS STUB TO:

H. O. PENN MACHINERY COMPANY, INC.
PO Box 5307
POUGHKEEPSIE, NY 12602-5307

PAYMENT TERMS:
Parts, Service Net30
Equipment Sales, Rentals Net10
Generator Rentals Net10
Generator Sales Net10

Warranty information is available from your sales representative.

A SERVICE CHARGE OF 2.0% (NY) 1.5% (CT) PER MONTH WILL BE CHARGED ON THE UNPAID BALANCE IF NOT PAID WITHIN TERMS.

B37FRV 04-25-07

WORK ORDER OPEN SUMMARY

B37FSS2 06/17/2005
HV49130
WORK ORDER

0
CURRENT SMU

01424 CUST NUMB
HOLTSVILLE CASH ACCT
CUSTOMER NAME

3406 MODEL
09WR00833 SERIAL NUMBER

AA MAKE
ID NUMBER

CASH TERMS

TRAVEL TO/FROM ENGINE

01
SEGMENT

Std Hrs 3.00



TRAVEL TO/FROM ENGINE

02
SEGMENT

Std Hrs 3.00



Cat Electronic Technician 2007A v1.1
Logged Diagnostic Codes

5/11/2007 10:54 AM

3406E MAR (9WR00833)

| Parameter | Value |
|---------------------------------|--------------------|
| Equipment ID | 000000000000000000 |
| Engine Serial Number | 9WR00833 |
| ECM Serial Number | 32180120CG |
| Personality Module Part Number | 1508466-00 |
| Personality Module Release Date | MAY97 |
| Personality Module Code | 40 |

| Code | Description | Occur | First | Last |
|--|--|-------|-------|------|
| 3406E MAR (9WR00833) - Diagnostic Clock = 674 hours | | | | X |
| 110-0 X | High Coolant Temperature Warning (61) | 4 | 654 | 674 |
| 111-1 X | Low Coolant Level Warning (62) | 32 | 634 | 674 |
| 111-11 X | Very Low Coolant Level (62) | 24 | 634 | 674 |
| 110-11 | Very High Coolant Temperature (61) | 2 | 654 | 655 |
| 110-3 | Coolant Temperature voltage high (27) | 1 | 654 | 654 |

655 8/11

5/11

Cat Electronic Technician 2007A v1.1
Logged Diagnostic Codes

5/11/2007 10:59 AM

3406E MAR (9WR00824)

| Parameter | Value |
|---------------------------------|--------------------|
| Equipment ID | 000000000000000000 |
| Engine Serial Number | 9WR00824 |
| ECM Serial Number | 31680103CG |
| Personality Module Part Number | 1508466-00 |
| Personality Module Release Date | MAY97 |
| Personality Module Code | 40 |

| Code | Description | Occur | First | Last |
|---|--------------------------------|-------|-------|------|
| 3406E MAR (9WR00824) - Diagnostic Clock = 679 hours | | | | |
| 111- 1 | Low Coolant Level Warning (62) | 80 | 134 | 290 |
| 111-11 | Very Low Coolant Level (62) | 48 | 134 | 290 |

For

Cat Electronic Technician 2007A v1.1
Event Code

5/11/2007 10:56 AM

3406E MAR (9WR00833)

| Parameter | Value |
|---------------------------------|--------------------|
| Equipment ID | 000000000000000000 |
| Engine Serial Number | 9WR00833 |
| ECM Serial Number | 32180120CG |
| Personality Module Part Number | 1508466-00 |
| Personality Module Release Date | MAY97 |
| Personality Module Code | 40 |

| Code | Description | Occur | First | Last |
|--|--|-------|-------|------|
| 3406E MAR (9WR00833) - Diagnostic Clock = 674 hours | | | | |
| 110- 0 | High Coolant Temperature Warning (61) | 4 | 654 | 674 |
| 111- 1 | Low Coolant Level Warning (62) | 32 | 634 | 674 |
| 111-11 | Very Low Coolant Level (62) | 24 | 634 | 674 |
| 110-11 | Very High Coolant Temperature (61) | 2 | 654 | 655 |



S-O-S™ WEAR ANALYSIS REPORT
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Customer Information

HOLTSVILLE MARINE

ATTN: HOLTSVILLE MARINE

H.O. Penn Machinery

660 Union Ave

NY

11742

Phone

Fax

Action Required.

Interpreted by: Heather Hart

Evaluation / Recommendation

Percent glycol is too low for freeze/boil protection. Drain 1/3 of the sump capacity and refill with coolant concentrate. Add conditioner and resample ASAP

Unit Information

Unit Number 9WR00833

Location

Equip Make CAT

Equip Model 3406 - CAT

Compartment COOLANT

Equip Serial 9WR00833

Job No HV49130

Type Coolant

Lab No 070515C013

Sample Reading Groups: ☐ Elemental ☐ Physical ☐ Particle Count (Parts per Millilitre)

Sample Information

| Lab No | Date Taken | Eval | On Equip | On Oil |
|------------|------------|------|----------|--------|
| 070515C013 | 5/11/2007 | X | 674 | 19 |
| | | | | |
| | | | | |
| | | | | |

Fluid Change History

| Oil Added | Fluid Chg | Filter Chg | Type | Grade | SCA |
|-----------|-----------|------------|------|-------|-----|
| | N | N | | | |
| | | | | | |
| | | | | | |
| | | | | | |

| Cond | 3590 | Other | Amount | Odour | MoO4 | NO2 | Glycol | FFcont | BP | pH | Cond | Color | APPEA | Foam | Oil |
|------|------|-------|--------|-------|------|-----|--------|--------|-----|-----|------|-------|-------|------|------|
| | NONE | | | NORM | 0 | 230 | 8% | +25 | 213 | 8.6 | 3590 | CLEAR | CLEAR | NONE | NONE |
| | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | |

| Lab No | Preci | Preci | Preci | Preci |
|------------|-------|-------|-------|-------|
| 070515C013 | NONE | - | - | - |
| | | | | |
| | | | | |
| | | | | |



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View your report on-line at www.hs.hapentmachinery.com

Customer Information

HOLTSVILLE MARINE

ATTN: HOLTSVILLE MARINE

H.O. Penn Machinery

660 Union Ave

NY

11742

Phone

Fax

Action Required.

Interpreted by: Heather Hart

Evaluation / Recommendation

Percent glycol is too low for freeze/boil protection. Drain 1/3 of the sump capacity and refill with coolant concentrate. Add conditioner and resample ASAP.

Unit Information

Unit Number 9WR00833

Equip Make CAT

Compact Make

Location

Equip Model

3406 - CAT

Compact Model

Compartment COOLANT

Equip Serial

9WR00833

Compact Serial

Job No HV49130

Type

Coolant

Lab No

070515C013

Sample Reading Groups: ☐ Elemental ☐ Physical ☐ Particle Count (Parts per Millilitre)

| Sample Information | | | | Fluid Change History | | | |
|--------------------|------------|------|----------|----------------------|-----------|------------|------|
| Lab No | Date Taken | Eval | On Equip | Oil Added | Fluid Chg | Filler Chg | Type |
| 070515C013 | 5/11/2007 | X | 674 | 19 | N | N | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |

| Conc | Other | Amount | Odour | MoO4 | NO2 | Glycol | FPoint | BP | pH | Cond | Color | APPEA | Foam | Oil |
|------|-------|--------|-------|------|-----|--------|--------|-----|-----|------|-------|-------|------|------|
| 3590 | NONE | - | NORM | 0 | 230 | 8% | +25 | 213 | 8.6 | 3590 | CLEAR | CLEAR | NONE | NONE |
| | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | |

| Lab No | Preci | Preci | Preci | Preci |
|------------|-------|-------|-------|-------|
| 070515C013 | NONE | - | - | - |
| | | | | |
| | | | | |
| | | | | |

Printed: 5/16/2007 9:33 AM This report is valid only to the sample indicated on this report. Use this report in conjunction with other maintenance procedures.

HOLTSVILLE MARINE
ATTN: HOLTSVILLE MARINE
H.O. Penn Machinery
660 Union Ave
NY 11742



S-O-S™ WEAR ANALYSIS REPORT
View your report on-line at www.hopenmachinery.com

Customer Information

HOLTSVILLE MARINE

ATTN: HOLTSVILLE MARINE

H.O. Penn Machinery

660 Union Abetteville

NY

11742

Phone

Fax

Action Required.

Interpreted by: Heather Hart

Evaluation / Recommendation

Moderate amount of foam. This may be due to residual cleaner or a coolant additive. Foam can cause air entrainment which can lead to water pump damage. SCA level is low. Coolant smells burnt. We can not test for salt in coolant. Drain system, flush 3 time with water, refill and resample.

Unit Information

Unit Number 9WR00824

Equip Make CAT

Compant Make

Location

Equip Model 3406

Compant Model

Compartment COOLANT

Equip Serial 9WR00824

Compant Serial

Job No

Type Coolant

Lab No

070515C020

Sample Reading Groups: ☐ Elemental ☐ Physical ☐ Particle Count (Parts per Millilitre)

Sample Information

| Lab No | Date Taken | Eval | On Equip | On Oil |
|------------|------------|------|----------|--------|
| 070515C020 | 5/11/2007 | X | 679 | 679 |
| | | | | |
| | | | | |
| | | | | |

Fluid Change History

| Oil Added | Fluid Chg | Filter Chg | Type | Grade | SCA |
|-----------|-----------|------------|------|-------|-----|
| - | - | - | - | - | - |
| | | | | | |
| | | | | | |
| | | | | | |

| Cond(| Other | Amount | Odour | MoO4 | NO2 | Glycol | FPoint | BP | pH | Cond | Color | APPEAR | Foam | Oil |
|-------|-------|--------|-------|------|------|--------|--------|-----|-----|------|-------|--------|------|------|
| 7840 | NONE | - | BURN | 0 | 1035 | 43% | -20 | 221 | 7.2 | 8624 | BROWN | CLEAR | NONE | NONE |
| | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | |

| Lab No | Preci | Preci | Preci | Preci |
|------------|-------|-------|-------|-------|
| 070515C020 | NONE | - | - | - |
| | | | | |
| | | | | |
| | | | | |

Printed: 5/15/2007 9:10 AM This report is valid only to the sample indicated on this report. Use this report in conjunction with other maintenance procedures.

HOLTSVILLE MARINE
ATTN: HOLTSVILLE MARINE
H.O. Penn Machinery
660 Union Abetteville
NY 11742



S-O-S™ WEAR ANALYSIS REPORT
View your report on-line at www.ho.pennmachinery.com

Customer Information

HOLTSVILLE MARINE

ATTN: HOLTSVILLE MARINE

H.O. Penn Machinery

660 Union Ave

NY

11742

Phone

Fax

Action Required.

Interpreted by: Heather Hart

Evaluation / Recommendation

Moderate amount of foam. This may be due to residual cleaner or a coolant additive. Foam can cause air entrainment which can lead to water pump damage. SCA level is low. Coolant smells burnt. We can not test for salt in coolant. Drain system, flush 3 time with water, refill and resample.

Unit Information

Unit Number 9WR00824

Equip Make CAT

Compant Make

Location

Equip Model 3406

Compant Model

Compartment COOLANT

Equip Serial 9WR00824

Compant Serial

Job No

Type Coolant

Lab No

070515C020

Sample Reading Groups: ☐ Elemental ☐ Physical ☐ Particle Count (Parts per Millilire)

| Sample Information | | | | Fluid Change History | | | | | | | | | | | | | | | | | | | | | |
|--------------------|------------|------|----------|----------------------|-----------|-----------|------------|------|-------|-----|-------|-------|--------|-------|------|------|--------|--------|-----|-----|------|-------|-------|------|------|
| Lab No | Date Taken | Eval | On Equip | On Oil | Oil Added | Fluid Chg | Filter Chg | Type | Grade | SCA | Cond(| Other | Amount | Odour | MoO4 | NO2 | Glycol | FPptml | BP | pH | Cond | Color | APPEA | Foam | Oil |
| 070515C020 | 5/11/2007 | X | 679 | 679 | - | - | - | | | | 7840 | NONE | - | BURN | 0 | 1035 | 43% | -20 | 221 | 7.2 | 8624 | BROWN | CLEAR | NONE | NONE |
| | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | | | | | | |

| Lab No | Preci | Preci | Preci | Preci |
|------------|-------|-------|-------|-------|
| 070515C020 | NONE | - | - | - |
| | | | | |
| | | | | |

Printed: 5/16/2007 12:01 PM This report is valid only to the sample indicated on this report. Use this report in conjunction with other maintenance procedures.

HOLTSVILLE MARINE
ATTN: HOLTSVILLE MARINE
H.O. Penn Machinery
660 Union Ave
Holtsville
NY

SERVICE CALL INFORMATION SHEET

CALL REC'D BY mm DATE mm TIME mm

CALLER: Steven Fordel PHONE # 516-526-1194 BUS mm

REPRESENTING mm RES: mm

ADDRESS mm TAX CODE mm

DELIVERY DATE mm

CUSTOMER? Y/N mm WARRANTY? Y/N mm ACCT # mm C/A# mm

CONSTRUCTION mm TRUCK mm MARINE mm GEN SET mm OTHER mm

MAKE 56 SARDY MODEL mm SERIAL # mm

MPR mm MILEAGE mm MACHINE ID# mm

MACHINE PRESENT LOCATION mm

PROBLEM DESCRIPTION mm

CALLER REQUESTS:

SHOP SERVICE mm FIELD SERVICE mm ESTIMATE mm INFO mm

MACHINE: PICKED UP BY mm

DROPPED OFF BY mm

NOTES: mm

Shells Bay 46 (HUB)
E. Shore Rd.
C. NERK

TABOD
Stam wh
134792

SERVICE CALL INFORMATION SHEET

CALL REC'D BY _____ DATE _____ TIME _____

CALLER: _____ PHONE # _____ BUS: _____

REPRESENTING _____ RES: _____

ADDRESS _____ TAX CODE _____

DELIVERY DATE _____

CUSTOMER? Y/N _____ WARRANTY? Y/N _____ ACCT # _____ C/A# _____

CONSTRUCTION _____ TRUCK _____ MARINE _____ GEN SET _____ OTHER _____

MAKE _____ MODEL _____ SERIAL # _____

SMR _____ MILEAGE *5000* MACHINE ID# *5446*

MACHINE PRESENT LOCATION _____

PROBLEM DESCRIPTION _____

CALLER REQUESTS:

SHOP SERVICE _____ FIELD SERVICE _____ ESTIMATE _____ INFO _____

MACHINE: PICKED UP BY _____

DROPPED OFF BY _____

NOTES: _____

SERVICE CALL INFORMATION SHEET

CALL REC'D BY _____ DATE _____ TIME _____

CALLER: Steven Fordel PHONE # 516-526 1194 BUS: 2

REPRESENTING 516-526 1194 RES: _____

ADDRESS _____ TAX CODE _____

DELIVERY DATE _____

CUSTOMER? Y/N _____ WARRANTY? Y/N _____ ACCT # _____ C/A# _____

CONSTRUCTION TRUCK 3200 2004 GEN SET OTHER

MAKE 56 SARDY MODEL 3200 SERIAL # _____

MILEAGE 1000 MACHINE ID# _____

MACHINE PRESENT LOCATION oil cooler

PROBLEM DESCRIPTION * Bolt loose

CALLER REQUESTS:

SHOP SERVICE _____ FIELD SERVICE _____ ESTIMATE _____ INFO _____

MACHINE: PICKED UP BY _____

DROPPED OFF BY _____

NOTES: HV44935

Shells Bldg 40 CHRS
E. Shore Rd.
C. NERK

TABLOO
Stacy uh
TBR 27

H.O.PENN

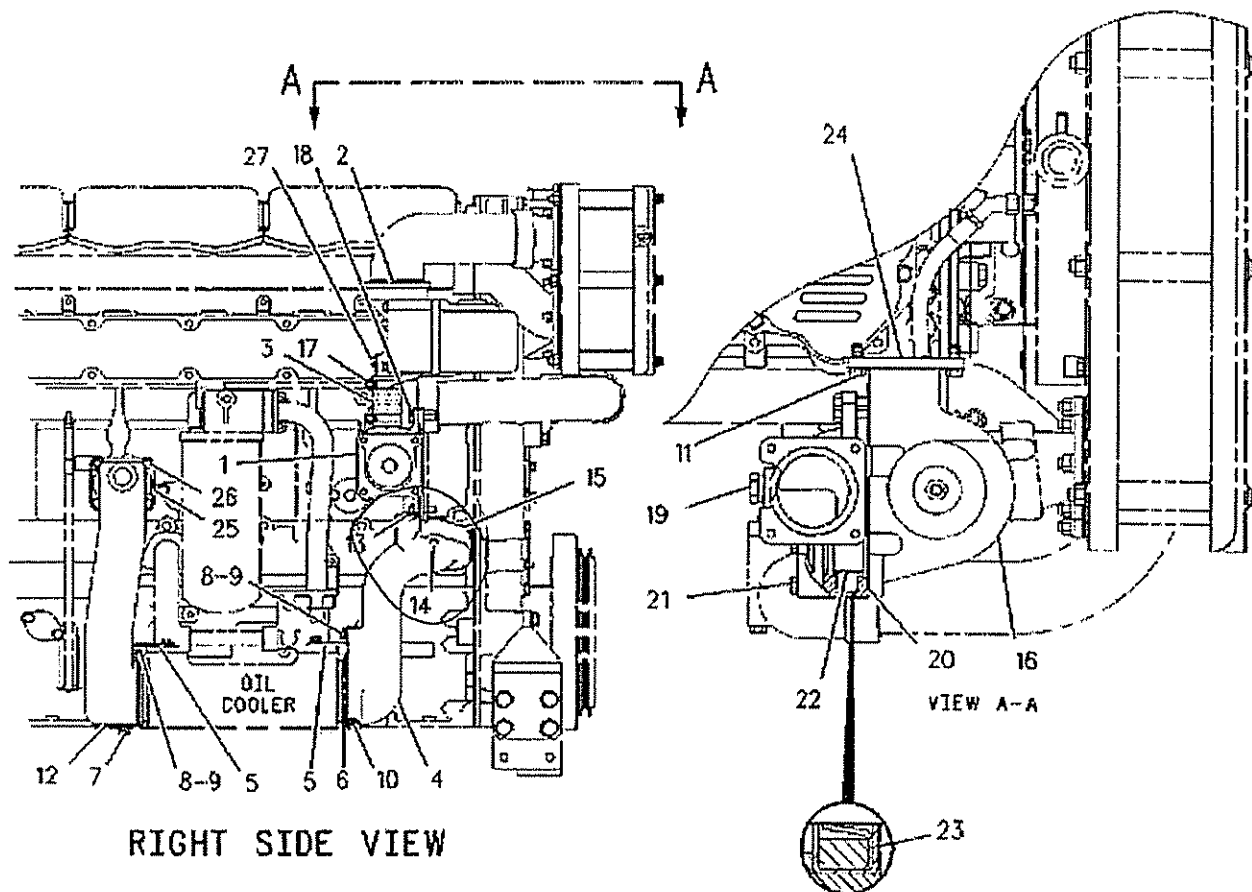


Service Information System

Shutdown SIS

Previous Screen

Product: MARINE ENGINE
Model: 3406E MARINE ENGINE 9WR
Configuration: 3406E Marine Engine 9WR00001-UP



GRAPHIC #1
g00257477

3406E Marine Engine

Media Number - SEBP2555-34 | Publication Date - 01/12/2006 | Date

Updated - 22/12/2006

i02188158

124-3399 HOUSING & REGULATOR GP
FOR USE WITH HEAT EXCHANGER COOLED ENGINES
AN ATTACHMENT

ENTIRE GROUP

| Ref. | Qty. | NPR Note | Part No | Part Name |
|------|------|------------|----------|------------------------|
| Grp | | <u>NPR</u> | 124-3399 | HOUSING & REGULATOR GP |



INDIVIDUAL PARTS

| Ref. | Qty. | NPR Note | Part No. | Req. Qty. | Part Name |
|------|------|--------------|----------|-----------|--|
| 1 | | <u>NPR</u> | 124-3393 | 1 | COVER-WATER PUMP |
| 2 | | <u>NPR</u> | 124-3402 | 1 | HOUSING |
| 3 | | <u>NPR</u> E | 5P-0763 | | HOSE (9 CM) |
| 4 | | <u>NPR</u> | 124-3403 | 1 | BONNET-INLET |
| 5 | | <u>NPR</u> | 4N-1199 | 2 | CLIP |
| 6 | | <u>NPR</u> | 4N-6257 | 1 | ADAPTER |
| 7 | | <u>NPR</u> | 8T-6767 | 1 | PLUG-PIPE |
| 8 | | <u>NPR</u> | 0L-1351 | 2 | BOLT (3/8-16X0.875-IN) |
| 9 | | <u>NPR</u> | 5M-2894 | 2 | WASHER-HARD (10.2X18.5X2.5-MM THK) |
| 10 | | <u>NPR</u> | 109-0077 | 1 | SEAL-O-RING |
| 11 | | <u>NPR</u> | 0S-1594 | 3 | BOLT (3/8-16X1-IN) |
| 12 | | <u>NPR</u> | 131-0120 | 1 | BONNET |
| 13 | | <u>NPR</u> | 7X-7731 | 1 | PLUG-PIPE (3/4-14 NPTF THD) |
| 14 | | <u>NPR</u> | 0L-2070 | 2 | BOLT (3/8-16X2.25-IN) |
| 15 | | <u>NPR</u> | 1W-2636 | 1 | GASKET |
| 16 | | <u>NPR</u> | 124-3401 | 1 | HOUSING |
| 17 | | <u>NPR</u> | 8T-4983 | 2 | CLAMP-HOSE |
| 18 | | <u>NPR</u> | 0S-1591 | 4 | BOLT (3/8-16X1.5-IN) |
| 19 | | <u>NPR</u> | 3E-7430 | 1 | PLUG-PIPE |
| 20 | | <u>NPR</u> | 124-9052 | 1 | GASKET (TEMPERATURE REGULATOR HOUSING) |
| 21 | | <u>NPR</u> | 0T-0065 | 2 | BOLT (3/8-16X3.5-IN) |
| 22 | | <u>NPR</u> | 248-5513 | 1 | REGULATOR-WATER TEMPERATURE (92-DEG C) (COOLANT) |
| 23 | | <u>NPR</u> | 3S-9643 | 1 | SEAL-LIP TYPE (WATER TEMPERATURE REGULATOR) |
| 24 | | <u>NPR</u> | 4N-1156 | 1 | GASKET-REGULATOR COVER (TEMPERATURE REGULATOR HOUSING) |
| 25 | | <u>NPR</u> | 4N-0641 | 1 | GASKET |
| 26 | | <u>NPR</u> | 1A-2029 | 3 | BOLT (3/8-16X1.125-IN) |
| 27 | | <u>NPR</u> | 0T-0055 | 1 | BOLT (3/8-16X4.25-IN) |

Key:

E - ORDER BY THE CENTIMETER

| SMCS Codes | | |
|------------|------|--|
| 1355 | 1393 | |

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Mon May 14 07:59:42 EDT 2007



ROUTING

SERVICE REPORT

| | |
|--|--|
| | |
| | |
| | |

1

01-084391-11 (3900)

| | | | | |
|-------------------------------|-------------------------------------|--|------------------------|-----------------------------|
| DEALER CODE | STORE NO. B373 | WORK ORDER 10570 HU49130 | SEG. | CUSTOMER NAME FENDEL |
| DATE 5/11/07 | EMPLOYEE IDENTIFICATION 4306 | EQUIPMENT LOCATION WHEATNECK | INSTRUCTIONS: | |
| CATERPILLAR MODEL 3406 | SERIAL NO. 9W R00833 STBA | <input checked="" type="checkbox"/> IF NON-CAT | | |
| HOURS 674 | MILES | KILOMETERS | LOSS OF COOLANT | |

| PART NUMBER RESPONSIBLE | <input checked="" type="checkbox"/> IF NON-CAT | PART NAME | QTY. | DESC. CODE | GROUP NUMBER CONTAINING PART | <input checked="" type="checkbox"/> IF NON-CAT | GROUP NAME | <input checked="" type="checkbox"/> IF MADE PRODUCT INOPERABLE | DESCRIPTIVE COMMENTS |
|-------------------------|--|-----------|------|------------|------------------------------|--|------------|--|----------------------|
| | <input type="checkbox"/> | | | | | <input type="checkbox"/> | | <input type="checkbox"/> | |
| | <input type="checkbox"/> | | | | | <input type="checkbox"/> | | <input type="checkbox"/> | |
| | <input type="checkbox"/> | | | | | <input type="checkbox"/> | | <input type="checkbox"/> | |

DESCRIPTION CODES • A - Structural B - Surface C - Leaks D - Factory Assembly E - System Malfunction F - Factory Shipping G - General Repair H - Adjustment K - Serviceability N - Abuse X - OPERATION COMPLAINT

| CATERPILLAR | | OEM PRODUCT | | COMPONENT ARRANGEMENT/TEST/SERIAL NUMBERS | | LABOR CODE | DESCRIPTION | MAN HOURS |
|-------------|------------|-------------|-----------------------|---|--------|--------------------|-------------|-----------|
| MODEL | SERIAL NO. | MAKE/MODEL | VEHICLE CONFIGURATION | COMPONENT | NUMBER | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | DATE OF LAST LABOR | | |

WHAT WAS THE CUSTOMER'S COMPLAINT? **LOSS OF COOLANT**

ADDITIONAL COMMENTS ON THE CAUSE OF FAILURE? **COOLANT IN OIL PAN**

WHAT WAS THE RESULTANT DAMAGE?

HOW DID YOU REPAIR IT? **INSPECT ENGINE - BOLT THAT FELL OUT IS A SAFETY BOLT, IT DOES NOT SEAL ANY PART. COOLANT LOW IN ENGINE VERY LOW. COOLANT IN EXPANSION BOTTLE LOOKS LIKE WATER. OIL LEVEL OVER FULL - ALL COOLANT IS IN THE OIL PAN, TOOK A COOLANT SAMPLE. ~~MAN~~ MANY OVER HEATS IN ECM HISTORY.**

CUSTOMER SIGNATURE

SERVICEMAN SIGNATURE

F COPY OF THIS PAGE IS BEING SENT TO CATERPILLAR. COMPLETE FOLLOWING DEALER

STORE



SERVICE REPORT

ROUTING

| | |
|--|--|
| | |
| | |
| | |

01-084391-11 (3900)

1

| | | | | |
|----------------------------------|--|---|------|-------------------------------|
| DEALER CODE B373 | STORE NO. | WORK ORDER HV 49130 | SEG. | CUSTOMER NAME FENDL |
| DATE 5/16/07 | EMPLOYEE IDENTIFICATION A306 | EQUIPMENT LOCATION POWELL ASHINGTON | | |
| CATERPILLAR MODEL 3406 | SERIAL NO. 9W100833 | INSTRUCTIONS: LOSS OF COOLANT | | |
| HOURS 674 | MILES | KILOMETERS | | |

| PART NUMBER RESPONSIBLE | <input type="checkbox"/> IF NON-CAT | PART NAME | QTY. | DESC. CODE | GROUP NUMBER CONTAINING PART | <input type="checkbox"/> IF NON-CAT | GROUP NAME | <input type="checkbox"/> IF MADE PRODUCT INOPERABLE | DESCRIPTIVE COMMENTS |
|-------------------------|-------------------------------------|-----------|------|------------|------------------------------|-------------------------------------|------------|---|----------------------|
| | <input type="checkbox"/> | | | | | <input type="checkbox"/> | | <input type="checkbox"/> | |
| | <input type="checkbox"/> | | | | | <input type="checkbox"/> | | <input type="checkbox"/> | |
| | <input type="checkbox"/> | | | | | <input type="checkbox"/> | | <input type="checkbox"/> | |

DESCRIPTION CODES • A - Structural B - Surface C - Leaks D - Factory Assembly E - System Malfunction F - Factory Shipping G - General Repair H - Adjustment K - Serviceability N - Abuse X - OPERATION COMPLAINT

| CATERPILLAR | | OEM PRODUCT | COMPONENT ARRANGEMENT/TEST/SERIAL NUMBERS | | LABOR CODE | DESCRIPTION | MAN HOURS |
|-------------|------------|-----------------------|---|--------|--------------------|-------------|-----------|
| MODEL | SERIAL NO. | MAKE/MODEL | COMPONENT | NUMBER | | | |
| | | VEHICLE CONFIGURATION | | | | | |
| | | DELIVERY DATE | | | | | |
| | | | | | DATE OF LAST LABOR | | |

WHAT WAS THE CUSTOMERS' COMPLAINT? **LOSS OF COOLANT**

ADDITIONAL COMMENTS ON THE CAUSE OF FAILURE? **ENGINE COOLANT SYSTEM FROZE PUSHING OUT FREEZE OUT PLUGS AND OIL COOLER GOOSENECK HOUSING. I TOOK PICTURES**

WHAT WAS THE RESULTANT DAMAGE? **FIPISHED DRAINING OIL. REMOVED VALVE COVERS - FOUND A FREEZE OUT PLUG IN THE TOP OF THE HEAD^{OUT} INSTALLED WITH SEALER. OIL COOLER GOOSENECK PUSHED OVER, ADAPTER COOLANT, RETAINING BOLT PULLED THE THREADS OUT, AND LEAKING. REMOVED**

HOW DID YOU REPAIR IT? **HOUSED WITH NEW SEALS AND BOLT. PRESSURIZED COOLANT SYSTEM - WILL NOT HOLD PRESSURE. REMOVED OIL PAN - WHILE UP BOLTING FOUND A FREEZE OUT PLUG IN THE BOTTOM OF THE TURBO PUSHED OUT & LEAKING. WITH THE PAN OFF & UPDEN PRESSURE I COULD NOT SEE THE LEAK, BUT STILL LOOSING PRESSURE. ENGINE APPEARS TO HAVE FROZEN. WE NEED TO REMOVE AND TEST OIL COOLER AND INSPECT HEAD AFTER REMOVAL.**

CUSTOMER SIGNATURE _____ SERVICEMAN SIGNATURE **[Signature]**



SERVICE REPORT

ROUTING

| | |
|--|--|
| | |
| | |
| | |

1

01-084391-11 (3900)

| | | | | |
|------------------------------------|--|---|------|----------------------------------|
| DEALER CODE B373 | STORE NO. | WORK ORDER HV49130 | SEG. | CUSTOMER NAME FENDRELL |
| DATE 5/22/07 | EMPLOYEE IDENTIFICATION 4306 | EQUIPMENT LOCATION PORT WASHINGTON | | |
| CATERPILLAR MODEL Q3406E | SERIAL NO. QWR00833 | INSTRUCTIONS: DISASSEMBLE & INSPECT | | |
| HOURS 674 | MILES | KILOMETERS | | |

| PART NUMBER RESPONSIBLE | <input type="checkbox"/> IF NON-CAT | PART NAME | QTY. | DESC. CODE | GROUP NUMBER CONTAINING PART | <input type="checkbox"/> IF NON-CAT | GROUP NAME | <input type="checkbox"/> IF MADE PRODUCT INOPERABLE | DESCRIPTIVE COMMENTS |
|-------------------------|-------------------------------------|-----------|------|------------|------------------------------|-------------------------------------|------------|---|----------------------|
| | <input type="checkbox"/> | | | | | <input type="checkbox"/> | | <input type="checkbox"/> | |
| | <input type="checkbox"/> | | | | | <input type="checkbox"/> | | <input type="checkbox"/> | |
| | <input type="checkbox"/> | | | | | <input type="checkbox"/> | | <input type="checkbox"/> | |

DESCRIPTION CODES • A - Structural B - Surface C - Leaks D - Factory Assembly E - System Malfunction F - Factory Shipping G - General Repair H - Adjustment K - Serviceability N - Abuse X - OPERATION COMPLAINT

| CATERPILLAR | | OEM PRODUCT | | COMPONENT ARRANGEMENT/TEST/SERIAL NUMBERS | | LABOR CODE | DESCRIPTION | MAN HOURS |
|-------------|------------|-------------|-----------------------|---|--------|--------------------|-------------|-----------|
| MODEL | SERIAL NO. | MAKE/MODEL | VEHICLE CONFIGURATION | COMPONENT | NUMBER | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | DATE OF LAST LABOR | | |

WHAT WAS THE CUSTOMER'S COMPLAINT? **WATER IN THE OIL**

ADDITIONAL COMMENTS ON THE CAUSE OF FAILURE?

WHAT WAS THE RESULTANT DAMAGE?

HOW DID YOU REPAIR IT? **REVIEWED FAILURE WITH THE INSURANCE REP. ALSO FOUND THE M/G HAS NO OIL ON THE DIPSTICK - SUSPECT A CRACKED COOLER. STARTED REMOVING PARTS FOR HEAD REMOVAL.**

CUSTOMER SIGNATURE

SERVICEMAN SIGNATURE

IF COPY OF THIS PAGE IS BEING SENT TO CATERPILLAR, COMPLETE FOLLOWING DEALER

STORE

5/14/07
8:01:54
Opened 5/14/07

W/O: HV49130 *CASH*

B37FSS1
HV49130

-- Equipment --

Make: AA Model: 3406
S/N: 09WR00833

Smu: 0
Delivery Date: 0/00/00
Cust Equip No:
Engine / Info:

Perf Spec: @ Arr#: RPM
Hp:
Related / Driven:

Cab Type: Arr#: .00
Labor Est:

Ship To / Mach Loc / Via

-- Customer Info--

HOLTSVILLE CASH ACCT

Cust Agent:
Agent Phone:

P/O Required: Y FERDEL
-- Invoice Options --
Tx1 Tx2 Tx3 Tx4 Tx5

02
PCC:10 LCC:10 MCC:10
Charge Codes:

Parts Est: .00

Special Instructions

-- Additional Info --

Cust No: 01424
Overtime Authorized: YES
To Arrive: 0/00/00
Promised: 0/00/00
Salesman:

Est by: MIKE
Job Control: MM
Tax Exempt Lic No:
VAT INVOICE NO:
Labor Invoice Ind: N

Misc Est: .00
Total Est: .00

SG OP
ST CC JOB DESCRIPTION

PI

AMOUNT

01 TRAVEL TO/FROM ENGINE

FS

%%
%%
%%

SEGMENT 01

JC CP MC QC BG SF WA JL CON
056 1000 S

STD HOURS MECH
3.00

02 TROUBLESHOOT ENGINE

FS

%%
%%
%%

SEGMENT 02

JC CP MC QC BG SF WA JL CON
035 1000 S

STD HOURS MECH
3.00

THIS UNIT IS NOT ON THE MACHINE POPULATION FILE

Mike Mockler

From: Bryan Nix
Sent: Monday, June 04, 2007 4:08 PM
To: Mike Mockler
Subject: FW: 3406e Engine Parts/Repair

-----Original Message-----

From: StevenDFriedel@aol.com [mailto:StevenDFriedel@aol.com]
Sent: Monday, June 04, 2007 3:20 PM
To: Bryan Nix
Cc: farrellmars@optonline.net; stuart.barnhardt@ace-ina.com; Eli54@aol.com;
Sspdiesel@aol.com; Fplauman@aol.com
Subject: 3406e Engine Parts/Repair

Hi Brian-

It is my understanding that your mechanic, Eric removed the following parts for testing:

- 1: Oil Cooler
- 2: Water Jacketed After Cooler
- 3: Turbo Exhaust
- 4: Transmission Cooler
- 5: Various Hoses and Fittings

John, at your office, indicated that your testing would be completed today.

Please forward any parts which tested OK to:

Rick Plauman
Great Lakes Diesel
2600 Hamburg Turnpike
Lackawanna, NY 14218

Please let me know the size and weight of the cartons so I that can arrange immediate pick-up.

Please let me know today which parts failed in testing and please hold those for Insurance Inspection.

Thank you-
Steven Friedel
516-526-1194

See what's free at <http://www.aol.com>.

Bryan Nix

From: StevenDFriedel@aol.com
Sent: Tuesday, June 05, 2007 3:58 PM
To: Bryan Nix
Subject: Re: Parts

2nd day would be great.
Thank you.

See what's free at AOL.com <<http://www.aol.com?ncid=AOLAOFO000200000000503>> .

UPS Blue CAN

HV49130-02

Tracking # 1Z FA141902 40701541

71.04

7000
MD

Bryan Nix

From: StevenDFriedel@aol.com
Sent: Monday, June 04, 2007 3:20 PM
To: Bryan Nix
Cc: farrellmars@optonline.net; stuart.barronhardt@ace-ina.com; Eli54@aol.com; Sspdiesel@aol.com; Fplauman@aol.com
Subject: 3406e Engine Parts/Repair

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- 1: Oil Cooler
- 2: Water Jacketed After Cooler
- 3: Turbo Exhaust
- 4: Transmission Cooler
- 5: Various Hoses and Fittings

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Great Lakes Diesel
2600 Hamburg Turnpike
Lackawanna, NY 14218


Please let me know the size and weight of the cartons so I that can arrange immediate pick-up.

Please let me know today which parts failed in testing and please hold those for Insurance Inspection.

Thank you-
Steven Friedel
516-526-1194

See what's free at <http://www.aol.com>.

SHIP OUT



Bryan Nix

From: StevenDFriedel@aol.com
Sent: Tuesday, June 05, 2007 3:15 PM
To: Bryan Nix
Cc: Fplauman@aol.com; Sspdiesel@aol.com; farrellmars@optonline.net
Subject: Parts

Bryan-
Please send me Tracking Numbers as soon as possible for the parts you shipped to Great
Lakes today.
Thanks-

See what's free at AOL.com <<http://www.aol.com?ncid=AOLAOF0000200000000503>> .

CUSTOMER INVOICE



H. O. PENN MACHINERY COMPANY, INC.

BLOOMINGBURG, NY
BRONX, NY
DANBURY, CT
HOLTSVILLE, NY
NEWINGTON, CT
POUGHKEEPSIE, NY

783 BLOOMINGBURG RD, 12721
699 BRUSH AVENUE, 10465
30 OLD MILL PLAIN RD, 06810
660 UNION AVENUE, 11742
225 RICHARD STREET, 06111
122 NOXON ROAD, 12603

845-733-6400
718-863-3800
203-798-8644
631-758-7500
860-666-8401
845-452-1200

SOLD TO

HOLTSVILLE CASH ACCT
HOLTSVILLE
HOLTSVILLE NY 11742

SHIP TO

| INVOICE NUMBER | INVOICE DATE | CUSTOMER NO | CUSTOMER PURCHASE ORDER NUMBER | STORE | DIV | SALESMAN | TERMS | PAGE |
|----------------|--------------|---------------|--------------------------------|-------|------------------|------------|---------------|------------------|
| WOHE0335623 | 06-20-07 | 01424 | FERDEL | 02 | M | | 1 | 1 |
| PSQ/WO NO | DDC DATE | PC | LC | MC | SHIP VIA | | | INVOICE SEQ. NO. |
| HV49130 | 05-14-07 | 10 | 10 | 10 | | | | 2367425 |
| MAKE | MODEL | SERIAL NUMBER | | | EQUIPMENT NUMBER | | METER READING | MACH. ID. NO. |
| AA | 3406 | 09WR00833 | | | | | | |
| QUANTITY | ITEM | N/R | DESCRIPTION | | | UNIT PRICE | | EXTENSION |

DISASSEMBLE ENGINE FOR DAMAGE FOUND FREEZE OUT
PLUGS BLOWN OUT FOUND CYL HEAD CRACKED SUSPECT
BLOCK DAMAGE REMOVE ENGINE FOR REBUILD.

TRAVEL TO/FROM ENGINE

| | | | | | |
|------------------|----------|----------------|---|-------|-----------|
| 2 | COOLANT1 | SINGLE COOLANT | S | 13.00 | 26.00 |
| TOTAL PARTS | | | | | 26.00 * |
| MAR FIELD LABOR | | | | | 1301.50 |
| MAR TRAVEL LABO | | | | | 1952.50 |
| TOTAL LABOR | | | | | 3254.00 * |
| 400.00 | MILEAGE | | | | 1100.00 |
| TOTAL MISC CHGS | | | | | 1100.00 * |
| SEGMENT 01 TOTAL | | | | | 4380.00 T |

TROUBLESHOOT ENGINE

| | |
|-----------------|---------|
| MAR SHOP LABOR | 129.00 |
| MAR FIELD LABOR | 1918.00 |
| SHOP LABOR | 387.00 |

* - NOT RETURNABLE

CONT'D

PAYMENT TERMS:

| | |
|--------------------------|-------|
| Parts, Service | Net30 |
| Equipment Sales, Rentals | Net10 |
| Generator Rentals | Net10 |
| Generator Sales | Net10 |

Warranty information is
available from your sales
representative.

INVOICE WOHE0335623 CUSTOMER 01424

PLEASE REMIT WITH THIS STUB TO:

H. O. PENN MACHINERY COMPANY, INC.
PO Box 5307
POUGHKEEPSIE, NY 12602-5307

PAY THIS
AMOUNTCREDIT
AMOUNT

CONT'D

A SERVICE CHARGE OF 2.0%
(NY) 1.5% (CT) PER MONTH
WILL BE CHARGED ON THE
UNPAID BALANCE IF NOT
PAID WITHIN TERMS.

11/01/08 10:45 AM



H. O. PENN MACHINERY COMPANY, INC.

| | | |
|------------------|-----------------------------|--------------|
| BLOOMINGBURG, NY | 783 BLOOMINGBURG RD, 12721 | 845-733-6400 |
| BRONX, NY | 699 BRUSH AVENUE, 10465 | 718-863-3800 |
| DANBURY, CT | 30 OLD MILL PLAIN RD, 06810 | 203-798-8644 |
| HOLTSVILLE, NY | 660 UNION AVENUE, 11742 | 631-758-7500 |
| NEWINGTON, CT | 225 RICHARD STREET, 06111 | 860-666-8401 |
| POUGHKEEPSIE, NY | 122 NOXON ROAD, 12603 | 845-452-1200 |

SOLD TO
 HOLTSVILLE CASH ACCT
 HOLTSVILLE
 HOLTSVILLE NY 11742

SHIP TO

| INVOICE NUMBER | | INVOICE DATE | | CUSTOMER NO. | | CUSTOMER PURCHASE ORDER NUMBER | | STORE | DIV | SALESMAN | TERMS | PAGE |
|----------------|-------|--------------|---------------|--------------|-------------|--------------------------------|----------|---------------|------------|----------|------------------|------|
| WOHE0335623 | | 06-20-07 | | 01424 | | FERDEL | | 02 | M | | 1 | 2 |
| PSO/WO NO. | | DOC DATE | | PG | LC | MC | SHIP VIA | | | | INVOICE SEQ. NO. | |
| HV49130 | | 05-14-07 | | 10 | 10 | 10 | | | | | 2367425 | |
| MAKE | MODEL | | SERIAL NUMBER | | | EQUIPMENT NUMBER | | METER READING | | | MACH ID NO. | |
| AA | 3406 | | 09WR00833 | | | | | | | | | |
| QUANTITY | ITEM | | | *N/R | DESCRIPTION | | | | UNIT PRICE | | EXTENSION | |

| | | | |
|------|------------------|---------|-----------|
| 1.00 | TOTAL LABOR | SEG. 02 | 2434.00 * |
| | FREIGHT OUT | | 71.04 |
| | TOTAL MISC CHGS | SEG. 02 | 71.04 * |
| | SEGMENT 02 TOTAL | | 2505.04 T |

| | |
|----------------------|----------|
| FUEL SURCHARGE | 20.00 T |
| SUFFOLK CTY SALE TAX | 593.83 T |

DUE TO THE RISING COST OF DIESEL FUEL, H.O. PENN HAS ADDED A \$20 FUEL SURCHARGE TO FIELD SERVICE INVOICES. AS MARKET CONDITIONS CHANGE, WE WILL RE-EVALUATE THE NEED FOR THIS CHARGE.

* * * C A S H * * *

*pd in fuel 6/20/07
c/c*

* - NOT RETURNABLE

7498.87

PAYMENT TERMS:
 Parts, Service Net30
 Equipment Sales, Rentals Net10
 Generator Rentals Net10
 Generator Sales Net10

INVOICE WOHE0335623 CUSTOMER 01424

| | |
|-----------------|---------|
| PAY THIS AMOUNT | 7498.87 |
| CREDIT AMOUNT | |

PLEASE REMIT WITH THIS STUB TO:

H. O. PENN MACHINERY COMPANY, INC.
 PO Box 5307
 POUGHKEEPSIE, NY 12602-5307

Warranty information is available from your sales representative.

A SERVICE CHARGE OF 2.0% (NY) 1.5% (CT) PER MONTH WILL BE CHARGED ON THE UNPAID BALANCE IF NOT PAID WITHIN TERMS.

H.O. PENN CAT

WORK ORDER OPEN SUMMARY

01424 CUST NUMB
HOLTSVILLE CASH ACCT
CUSTOMER NAME

HV49130
WORK ORDER

CASH AA MAKE ID NUMBER 3406 MODEL 09WR00833 SERIAL NUMBER 0 CURRENT SMU

TRAVEL TO/FROM ENGINE

Std Hrs 3.00
1314300
SEGMENT 01

TROUBLESHOOT ENGINE

Std Hrs 3.00
SEGMENT 02

Head

Block

Justin

1318300

Swamp Block
Leaky Block

887-887-3626

1378469 - 10354.4
Block

1472112 Head

1- York

None



SERVICE REPORT

ROUTING

| | |
|--|--|
| | |
| | |
| | |

1

01-084391-11 (3900)

| | | | | |
|----------------------------------|--|--|------|--------------------------------|
| DEALER CODE B373 | STORE NO. | WORK ORDER HU49130 | SEG. | CUSTOMER NAME Fennel |
| DATE 5/11/07 | EMPLOYEE IDENTIFICATION 4306 | EQUIPMENT LOCATION GUAT NECK | | |
| CATERPILLAR MODEL 3406 | SERIAL NO. 96100824 | INSTRUCTIONS: INSPECT | | |
| HOURS 679 | MILES | KILOMETERS | | |

| PART NUMBER RESPONSIBLE | <input type="checkbox"/> IF NON-CAT | PART NAME | QTY. | DESC. CODE | GROUP NUMBER CONTAINING PART | <input type="checkbox"/> IF NON-CAT | GROUP NAME | <input type="checkbox"/> IF MADE PRODUCT INOPERABLE | DESCRIPTIVE COMMENTS |
|-------------------------|-------------------------------------|-----------|------|------------|------------------------------|-------------------------------------|------------|---|----------------------|
| | <input type="checkbox"/> | | | | | <input type="checkbox"/> | | <input type="checkbox"/> | |
| | <input type="checkbox"/> | | | | | <input type="checkbox"/> | | <input type="checkbox"/> | |
| | <input type="checkbox"/> | | | | | <input type="checkbox"/> | | <input type="checkbox"/> | |

DESCRIPTION CODES • A - Structural B - Surface C - Leaks D - Factory Assembly E - System Malfunction F - Factory Shipping G - General Repair H - Adjustment K - Serviceability N - Abuse X - OPERATION COMPLAINT

| RELATED SERIAL NUMBERS | | OEM PRODUCT | | COMPONENT ARRANGEMENT/TEST/SERIAL NUMBERS | | LABOR CODE | DESCRIPTION | MAN HOURS |
|------------------------|------------|-----------------------|--|---|--------|--------------------|-------------|-----------|
| CATERPILLAR | | | | | | | | |
| MODEL | SERIAL NO. | MAKE/MODEL | | COMPONENT | NUMBER | | | . |
| | | VEHICLE CONFIGURATION | | | | | | . |
| | | DELIVERY DATE | | | | | | . |
| | | | | | | DATE OF LAST LABOR | | . |

WHAT WAS THE CUSTOMERS' COMPLAINT?

ADDITIONAL COMMENTS ON THE CAUSE OF FAILURE?

WHAT WAS THE RESULTANT DAMAGE?

HOW DID YOU REPAIR IT?

ZINCS + PLUGS - SHOW SIGN OF CORROSION, SHOULD BE REPLACED. ADJUST ALTERNATOR BELT. EXPANSION BOTTLE + COOLANT SYSTEM - COOLANT IS LIKE MUD WITH AN BURNT SMELL. TOOK A SAMPLE.

CUSTOMER SIGNATURE

SERVICEMAN SIGNATURE



ROUTING

SERVICE REPORT

| | |
|--|--|
| | |
| | |
| | |

1

01-084391-11 (3900)

| | | | | |
|-----------------------------------|--|--|-------------------------------------|---------------------------------|
| DEALER CODE B373 | STORE NO. | WORK ORDER HV49130 | SEG. | CUSTOMER NAME FENNELL |
| DATE 5/23/07 | EMPLOYEE IDENTIFICATION 4306 | EQUIPMENT LOCATION POUTWASH HIRTON | INSTRUCTIONS: REMOVE HEAD | |
| CATERPILLAR MODEL 3406E | SERIAL NO. 9WR00833 | <input checked="" type="checkbox"/> IF NON-CAT | | |
| HOURS 6.74 | MILES | KILOMETERS | | |

| PART NUMBER RESPONSIBLE | <input checked="" type="checkbox"/> IF NON-CAT | PART NAME | QTY. | DESC. CODE | GROUP NUMBER CONTAINING PART | <input checked="" type="checkbox"/> IF NON-CAT | GROUP NAME | <input checked="" type="checkbox"/> IF MADE PRODUCT INOPERABLE | DESCRIPTIVE COMMENTS |
|-------------------------|--|-----------|------|------------|------------------------------|--|------------|--|----------------------|
| | <input type="checkbox"/> | | | | | <input type="checkbox"/> | | <input type="checkbox"/> | |
| | <input type="checkbox"/> | | | | | <input type="checkbox"/> | | <input type="checkbox"/> | |
| | <input type="checkbox"/> | | | | | <input type="checkbox"/> | | <input type="checkbox"/> | |

DESCRIPTION CODES • A - Structural B - Surface C - Leaks D - Factory Assembly E - System Malfunction F - Factory Shipping G - General Repair H - Adjustment K - Serviceability N - Abuse X - OPERATION COMPLAINT

| RELATED SERIAL NUMBERS | | COMPONENT ARRANGEMENT/TEST/SERIAL NUMBERS | | LABOR CODE | DESCRIPTION | MAN HOURS |
|------------------------|-------------|---|-----------|------------|--------------------|-----------|
| CATERPILLAR | OEM PRODUCT | | | | | |
| MODEL | SERIAL NO. | MAKE/MODEL | COMPONENT | NUMBER | | |
| | | VEHICLE CONFIGURATION | | | | |
| | | DELIVERY DATE | | | DATE OF LAST LABOR | |

WHAT WAS THE CUSTOMER'S COMPLAINT? **WATCH IN OIL**

ADDITIONAL COMMENTS ON THE CAUSE OF FAILURE?

WHAT WAS THE RESULTANT DAMAGE? **BROUGHT ETC OIL & M/G COOLERS TO THE SHOP TO BE TESTED**

HOW DID YOU REPAIR IT? **CONTINUED REMOVING PARTS & HEAD. FOUND THE AFTERMOUNT CONE WAS LEAKING RAW WATER / THE EXHAUST MANIFOLD IS WARPED - SPINDLE AWAY FROM THE HEAD / 2 MORE FUSEZEE OUT PLUGS PUSHED UP IN THE TOP OF THE HEAD, AND ALL PLUGS BEHIND THE EX-SMAN. POSTED OUT / HEAD CRACKED BETWEEN THE INTAKE VALVE IN #4 CYLINDER AND LEAKING COOLANT / SOME SCUMBLE IN CYLINDERS - NO FUSEZEE PLUGS IN THE BLOCK.**

CUSTOMER SIGNATURE

SERVICEMAN SIGNATURE

IF COPY OF THIS PAGE IS BEING SENT TO CATERPILLAR, COMPLETE FOLLOWING DEALER

STORE

- H.O. PENN BRONX STORE

W/O: BX54435 *CASH*

6/25/07
13:23:50
Opened 6/25/07

ESTFSSI
BX54435

-- Equipment --

Make: AA Model: 3406E

S/N: 09WR00083

Arr#: 0

Deliv Date: 0/00/00

Cust Equip No:

Engine / Info:

Perf Spec: @

Related / Driven:

Cab Type:

Labor Est:

Arr#: RPM

Arr#: .00

Arr#: .00

Ship To / Mach Loc / Via

-- Customer Info--

BRONX CASH ACCT

Cust Agent:

Agent Phone:

P/O Required: Y

-- Invoice Options --

Tx1 Tx2 Tx3 Tx4 Tx5

01

PCC:10 LCC:10 MCC:10

Charge Codes:

Parts Est:

.00

Misc Est:

Total Est:

.00

.00

Special Instructions

RESET IDLE SPEED TO MATCH PORT ENG
MANHASSET BAY MARINA
STEVEN (516) 526-1194
PAY JOB, COLLECT

6/25

SG OP
ST CC JOB DESCRIPTION

PI

AMOUNT

07 REPAIR ENGINE

SEGMENT 07

%%
%%
%%

FS

JC CP MC QC BG SF WA JL CON
023 1000 S

STD HOURS MECH

THIS UNIT IS NOT ON THE MACHINE POPULATION FILE

NO PIP/PSP FOR THIS MACHINE

Bryan Nix

631-758-755-8

Crook



WORK ORDER OPEN SUMMARY

10758
CUST NUMB

BRONX CASH ACCT
CUSTOMER NAME

CASH
TERMS

AA
MAKE

ID NUMBER

3406E
MODEL

09WR00083
SERIAL NUMBER

BX54435
WORK ORDER

B37FSS2 06/17/2005

0
CURRENT SMU

REPAIR ENGINE

Std Hrs .00



SEGMENT
07

BX54435-7

MARINE SERVICE

DATE: 6/5

NAME: STEVEN FREDEL

ACCT:

BOAT TYPE: 56' SEARAY

BOAT NAME: TUBOO

TIME: 14:00

PHONE: (516) 526 1194

FAX: (516) 745-6106

MODEL: 3406

SERIAL: (P)

(S)

HOURS:

LOCATION: MANHATTAN BAY MARINA.

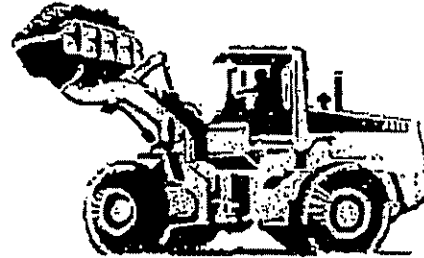
PROBLEM: RESET IDLE SPEED

PAYMENT: HAD ECM WORK

699 Brush Ave
Bronx, N.Y. 10465
Tel: 718-409-8529
Fax: 718-823-7174
kflanagan@hopennmachinery.com

H. O. Penn Machinery Co., Inc.

Fax



To: STEVEN From: Kevin Flanigan
Fax: (516) 745-6106 Pages: 2
Phone: _____ Date: 6/25/07
Re: MARINE SERVICE CC: _____

☐ Urgent ☐ For Review ☒ Please Reply ☐ Please Recycle

• Comments

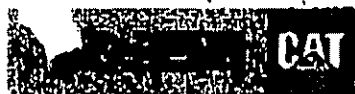
Hourly Rate: \$ 137.00 Mileage: \$ 3.00 per

Please complete the accompanying authorization form in its entirety including credit card information. Once complete, fax it back to me at (718) 823-7174 so we can schedule your service.

Thanks,

A handwritten signature in black ink, appearing to be 'K. Flanigan'.

Kevin Flanigan



Customer Authorization Form

Customer Name Steven Friedel Date 6/25/07
 Vessel Name (if marine) TABOO Contact Name Steven Friedel
 Address 151 E 58th St Apt 39 City NY State NY Zip 10022
 Phone 516-526-1194 Fax 516-745-6106 Equipment Make Seaway Model Sedan Bridge 56
 Stbd. Serial # 09WR0083 Hrs. _____ Port Serial # 00824 Hrs. _____
 Requested Service Set Stabboard RPM's - ~~etc~~ to match port side

Repair Authorization

Customer hereby authorizes repair work to be performed using the necessary material and hereby grants H.O. Penn Machinery Co., Inc. (H.O. Penn) and its employees permission to operate the equipment for the purpose of testing and/or inspection. An express mechanics lien on the equipment is hereby granted to H.O. Penn to secure payment of any work performed on the equipment. H.O. Penn shall not be responsible for any incidental or consequential damages which are not a direct result of any intentional or negligent act by H.O. Penn, its agents, or representatives.

Labor charges begin upon our technician leaving our facility and will continue through the technician completing the repair and returning to our facility. Hourly labor rates shall be charged in accordance with H.O. Penn's published rates in effect at that time. All service work performed and parts not covered by warranty are the customer's responsibility. Charges may include (but are not limited to): Overtime, Travel Time & Mileage, & Freight.

Method of Payment (Please select one)

____ Customer maintains a pre-approved open account line of credit with H.O. Penn and hereby authorizes H.O. Penn to place all charges thereupon.

X Customer agrees that they have requested H.O. Penn perform said work on a CASH/COD basis and agrees that any services performed or purchases made shall be immediately paid for in the form of cash, bank card, or credit card. Customer acknowledges that H.O. Penn has not extended credit terms. Customer further acknowledges, in the event of incomplete payment or failure to remit good payment, H.O. Penn shall be entitled to a monthly FINANCE CHARGE computed at a PERIODIC RATE of One and a Half Percent (1 1/2 %) per month on the unpaid portion of any balance owing as of the previous month. If it should become necessary to hire an attorney to collect any balance owing, H.O. Penn may also recover from Customer its reasonable attorney's fee incurred in connection with the collection of all unpaid amounts, to the extent provided by law. H.O. Penn and Customer hereby agree that 20% of the balance of the principal and Finance Charges outstanding at the time the lawsuit is filed shall be a reasonable attorney's fee.

H.O. Penn requires a 30% deposit on repairs expected to exceed Two Thousand Five Hundred Dollars (\$2500.00). The deposit may be paid by: cash, pre-approved check, certified or cashiers check, Visa, MasterCard, American Express, or Discover Card only. All credit cards will be processed for pre-approval.

H.O. Penn requires credit card information before work will be started on repairs estimated to be less than Two Thousand Five Hundred Dollars (\$2500.00)

The foregoing terms are acknowledged and agreed to by:

Signature [Signature] Date 6/25/07

Print Name & Title Steven Friedel, owner

If H.O. Penn accepts payment by credit card and credit card information is obtained by phone/fax, Customer is required to complete the authorization below:

I, Steven Friedel authorize H.O. Penn to accept my: ☐ Visa ☐ MasterCard ☒ American Express

Credit Card # 3715 755063 83001 CVV# 9512 Exp. Date 10/08 Signature [Signature]

Print Name (as it appears on the card) STEVEN FRIEDEL Date 6/25/07

Billing Address 151 E 58th St NY, NY 10022

TOTAL P.02



SERVICE REPORT

01-084391-11 (3900)

| | |
|-----|--|
| 130 | |
| 230 | |
| 300 | |

1

| | | | | |
|----------------------------|---------------------------------|--|--|--------------------------------|
| DEALER CODE B-375 | STORE NO. | WORK ORDER BX-54435 | SEC 07 | CUSTOMER NAME Steve Friedel |
| DATE 6/25/07 | EMPLOYEE IDENTIFICATION 5147 | EQUIPMENT LOCATION manhasset Bay marina | INSTRUCTIONS: Set low idle and check for codes | |
| CATERPILLAR MODEL 3406E | SERIAL NO. 1W110883 | <input type="checkbox"/> IF NON-CAT <input type="checkbox"/> IF NON-CAT | | |
| HOURS 650 | MILES | KILOMETERS | | |

| PART NUMBER RESPONSIBLE | IF NON-CAT | PART NAME | QTY | DESC. CODE | GROUP NUMBER CONTAINING PART | IF NON-CAT | GROUP NAME | IF MADE PRODUCT INOPERABLE | DESCRIPTIVE COMMENTS |
|-------------------------|--------------------------|-----------|-----|------------|------------------------------|--------------------------|------------|----------------------------|----------------------|
| | <input type="checkbox"/> | | | | | <input type="checkbox"/> | | <input type="checkbox"/> | |
| | <input type="checkbox"/> | | | | | <input type="checkbox"/> | | <input type="checkbox"/> | |
| | <input type="checkbox"/> | | | | | <input type="checkbox"/> | | <input type="checkbox"/> | |

DESCRIPTION CODES • A - Structural B - Surface C - Leaks D - Factory Assembly E - System Malfunction F - Factory Shipping G - General Repair H - Adjustment K - Serviceability N - Abuse X - OPERATION COMPLAINT

| RELATED SERIAL NUMBERS | | | COMPONENT ARRANGEMENT/TEST/SERIAL NUMBERS | | LABOR CODE | DESCRIPTION | MAN HOURS |
|------------------------|-------------|-----------------------|---|--------|--------------------|-------------|-----------|
| CATERPILLAR | OEM PRODUCT | MAKE/MODEL | COMPONENT | NUMBER | | | |
| MODEL | SERIAL NO. | VEHICLE CONFIGURATION | | | | | |
| | | DELIVERY DATE | | | DATE OF LAST LABOR | | |

WHAT WAS THE CUSTOMER'S COMPLAINT? AT marina connected E.T. Recorded

CONFIRMED total checked low idle and

ADDITIONAL COMMENTS ON THE CAUSE OF FAILURE? air fuel mixture to match PORT port for base.

Now Engines up to high idle all temps and

pressure in spec cleaned up and repaired

WHAT WAS THE RESULTANT DAMAGE? for shop

HOW DID YOU REPAIR IT?

CUSTOMER SIGNATURE

SERVICEMAN SIGNATURE

IF COPY OF THIS PAGE IS BEING SENT TO CATERPILLAR, COMPLETE FOLLOWING DEALER

STORE



H. O. PENN MACHINERY COMPANY, INC.

BLOOMINGBURG, NY
BRONX, NY
DANBURY, CT
HOLTSVILLE, NY
NEWINGTON, CT
POUGHKEEPSIE, NY

783 BLOOMINGBURG RD, 12721
699 BRUSH AVENUE, 10465
30 OLD MILL PLAIN RD, 06810
660 UNION AVENUE, 11742
225 RICHARD STREET, 06111
122 NOXON ROAD, 12603

845-733-6400
718-863-3800
203-798-8644
631-758-7500
860-666-8401
845-452-1200

SOLD TO

BRONX CASH ACCT
BRONX
BRONX NY 10465

SHIP TO

| INVOICE NUMBER | INVOICE DATE | CUSTOMER NO | CUSTOMER PURCHASE ORDER NUMBER | STORE | DIV | SALESMAN | TERMS | PAGE |
|----------------|--------------|---------------|--------------------------------|-------|------------------|----------------|------------|------|
| BX54435 | 06-26-07 | 10758 | STEVEN FRIEDEL | 01 | M | | 1 | 2 |
| PED/VO NO | DOC DATE | PG | LC | MG | SHIP VIA | INVOICE SEQ NO | | |
| BX54435 | 06-25-07 | 10 | 10 | 10 | | 1 | | |
| MAKE | MODEL | SERIAL NUMBER | | | EQUIPMENT NUMBER | METER READING | MACHINE NO | |
| AA | 3406E | 09WR00083 | | | | 650.0 | | |
| QUANTITY | ITEM | N/R | DESCRIPTION | | | UNIT PRICE | EXTENSION | |

*** PROFORMA INVOICE ***

FUEL SURCHARGE TO FIELD SERVICE INVOICES. AS MARKET CONDITIONS CHANGE,
WE WILL RE-EVALUATE THE NEED FOR THIS CHARGE.**

*** C A S H ***

SALES DRAFT

HO PENN MACHINERY
699 BRUSH AVE
BRONX, NY 10465
TERMINAL 0943110

6314126756
06/26/2007 10:08:46

AX 371575506383001 EXP. 1008
INVOICE 35005 @2*
AUTH. CODE 150628

SALE TOTAL \$285.59

I AGREE TO PAY ABOVE TOTAL AMOUNT
ACCORDING TO CARD ISSUER AGREEMENT
MERCHANT AGREEMENT IF CREDIT VOUCHER)

X

MERCHANT COPY

| RETURNABLE | | 285.59 | |
|------------|-------|-----------------|--------|
| CUSTOMER | | PAY THIS AMOUNT | 285.59 |
| 54435 | 10758 | CREDIT AMOUNT | |

REMIT WITH THIS STUB TO:

PENN MACHINERY COMPANY, INC.
Box 5307
GHKEEPSIE, NY 12602-5307

A SERVICE CHARGE OF 2.0%
(NY) 1.5% (CT) PER MONTH
WILL BE CHARGED ON THE
UNPAID BALANCE IF NOT
PAID WITHIN TERMS.

CUSTOMER INVOICE



H. O. PENN MACHINERY COMPANY, INC.

| | | |
|------------------|-----------------------------|--------------|
| BLOOMINGBURG, NY | 783 BLOOMINGBURG RD, 12721 | 845-733-6400 |
| BRONX, NY | 699 BRUSH AVENUE, 10465 | 718-863-3800 |
| DANBURY, CT | 30 OLD MILL PLAIN RD, 06810 | 203-798-8644 |
| HOLTSVILLE, NY | 660 UNION AVENUE, 11742 | 631-758-7500 |
| NEWINGTON, CT | 225 RICHARD STREET, 06111 | 860-666-8401 |
| POUGHKEEPSIE, NY | 122 NOXON ROAD, 12603 | 845-452-1200 |

SOLD TO

BRONX CASH ACCT
BRONX
BRONX NY 10465

SHIP TO

| INVOICE NUMBER | INVOICE DATE | CUSTOMER NO. | CUSTOMER PURCHASE ORDER NUMBER | STORE | DIV. | SALESMAN | TERMS | PAGE |
|----------------|--------------|---------------|--------------------------------|------------------|------------|---------------|------------------|------|
| BX54435 | 06-26-07 | 10758 | STEVEN FRIEDEL | 01 | M | | 1 | 1 |
| PSO/WO NO. | DDC DATE | PC | LC | MC | SHIP VIA | | INVOICE SEQ. NO. | |
| BX54435 | 06-25-07 | 10 | 10 | 10 | | | 1 | |
| MAKE | MODEL | SERIAL NUMBER | | EQUIPMENT NUMBER | | METER READING | MACH ID NO. | |
| AA | 3406E | 09WR00083 | | | | 650.0 | | |
| QUANTITY | ITEM | *N/R | DESCRIPTION | | UNIT PRICE | | EXTENSION | |

* * * PROFORMA INVOICE * * *

RESET IDLE SPEED TO MATCH PORT ENG
MANHASSET BAY MARINA
STEVEN (516) 526-1194
PAY JOB, COLLECT

REPAIR ENGINE

| | |
|-------------------------|----------|
| MAR FIELD LABOR | 205.50 |
| TOTAL LABOR SEG. 07 | 205.50 * |
| 10.00 MILEAGE | 30.00 |
| 9.00 TOLLS | 9.00 |
| TOTAL MISC CHGS SEG. 07 | 39.00 * |
| SEGMENT 07 TOTAL | 244.50 T |

| | |
|-------------------|---------|
| FUEL SURCHARGE | 20.00 T |
| NASSAU COUNTY TAX | 21.09 T |

**DUE TO THE RISING COST OF DIESEL FUEL, H.O. PENN HAS ADDED A \$20

* - NOT RETURNABLE

CONT'D

PAYMENT TERMS:

| | |
|--------------------------|-------|
| Parts, Service | Net30 |
| Equipment Sales, Rentals | Net10 |
| Generator Rentals | Net10 |
| Generator Sales | Net10 |

Warranty information is
available from your sales
representative.

INVOICE

BX54435

CUSTOMER

10758

PAY THIS
AMOUNTCREDIT
AMOUNT

CONT'D

PLEASE REMIT WITH THIS STUB TO:

H. O. PENN MACHINERY COMPANY, INC.
PO Box 5307
POUGHKEEPSIE, NY 12602-5307

A SERVICE CHARGE OF 2.0%
(NY) 1.5% (CT) PER MONTH
WILL BE CHARGED ON THE
UNPAID BALANCE IF NOT
PAID WITHIN TERMS.

ESTIM 04-09-07



H. O. PENN MACHINERY COMPANY, INC.

| | | |
|------------------|-----------------------------|--------------|
| BLOOMINGBURG, NY | 783 BLOOMINGBURG RD, 12721 | 845-733-6400 |
| BRONX, NY | 699 BRUSH AVENUE, 10465 | 718-863-3800 |
| DANBURY, CT | 30 OLD MILL PLAIN RD, 06810 | 203-798-8644 |
| HOLTSVILLE, NY | 660 UNION AVENUE, 11742 | 631-758-7500 |
| NEWINGTON, CT | 225 RICHARD STREET, 06111 | 860-666-8401 |
| POUGHKEEPSIE, NY | 122 NOXON ROAD, 12603 | 845-452-1200 |

SOLD TO
 BRONX CASH ACCT
 BRONX
 BRONX NY 10465

SHIP TO

| INVOICE NUMBER | | INVOICE DATE | | CUSTOMER NO. | | CUSTOMER PURCHASE ORDER NUMBER | | STORE | DIV | SALESMAN | TERMS | PAGE |
|----------------|-------|--------------|---------------|--------------|-------------|--------------------------------|----------|---------------|------------|-------------|-----------|------------------|
| BX54435 | | 06-26-07 | | 10758 | | STEVEN FRIEDEL | | 01 | M | | 1 | 2 |
| PSD/WO NO. | | DOC DATE | | PC | LC | MC | SHIP VIA | | | | | INVOICE SEQ. NO. |
| BX54435 | | 06-25-07 | | 10 | 10 | 10 | | | | | | 1 |
| MAKE | MODEL | | SERIAL NUMBER | | | EQUIPMENT NUMBER | | METER READING | | MACH ID NO. | | |
| AA | 3406E | | 09WR00083 | | | | | 650.0 | | | | |
| QUANTITY | ITEM | | | *N/R | DESCRIPTION | | | | UNIT PRICE | | EXTENSION | |

* * * PROFORMA INVOICE * * *

FUEL SURCHARGE TO FIELD SERVICE INVOICES. AS MARKET CONDITIONS CHANGE,
 WE WILL RE-EVALUATE THE NEED FOR THIS CHARGE.**

* * * C A S H * * *

* - NOT RETURNABLE

285.59

PAYMENT TERMS:
 Parts, Service Net30
 Equipment Sales, Rentals Net10
 Generator Rentals Net10
 Generator Sales Net10

INVOICE BX54435 CUSTOMER 10758

PAY THIS
 AMOUNT

285.59

CREDIT
 AMOUNT

PLEASE REMIT WITH THIS STUB TO:

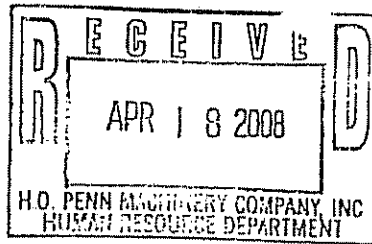
H. O. PENN MACHINERY COMPANY, INC.
 PO Box 5307
 POUGHKEEPSIE, NY 12602-5307

Warranty information is
 available from your sales
 representative.

A SERVICE CHARGE OF 2.0%
 (NY) 1.5% (CT) PER MONTH
 WILL BE CHARGED ON THE
 UNPAID BALANCE IF NOT
 PAID WITHIN TERMS.

8/27/07 04:02:07

Exh "C"



April 10, 2008

CERTIFIED MAIL—RETURN RECEIPT REQUESTED

Weindy Tyler
Assistant Risk & Insurance Manager
H.O. Penn Machinery Co., Inc
122 Noxon Rd
Poughkeepsie, NY 12603

Zurich North America

Claims

P.O. Box 905
Newark, NJ
07101-0905

RE: Claim #: 9440095877-001
Insured: H.O. Penn Machinery Co., Inc
Date of Loss: 05/14/07
Claimant: Steven Friedel

Telephone (800) 255-3612
Fax (973) 394-5262
<http://www.zurichna.com>

Dear Ms. Tyler:

Receipt is acknowledged of the Summons & Complaint filed in United States District Court, Southern District of New York, in the matter titled: "Ace American Insurance Company a/s/o Steven and Laurie Friedel v. H.O. Penn Machinery Company, Inc."; Case Number 08 CV 02929. The suit papers were received by Zurich American Insurance Company on March 27, 2008.

Please be advised that H.O. Penn Machinery Co., Inc.'s liability insurance issued by Zurich American Insurance Company provides no coverage for the allegations in the lawsuit. Therefore, Zurich American Insurance Company will neither defend nor indemnify H.O. Penn Machinery Co., Inc. in this matter. It is recommended that defense counsel be immediately retained by H.O. Penn Machinery Co., Inc., at its own expense, to protect its interests in this matter.

Plaintiff Ace American Insurance Company is seeking reimbursement for \$125,900 to repair a 56' pleasure boat owned by its insureds Steven and Laurie Friedel.

The boat owners reportedly struck a partly-submerged object in Long Island Sound, causing an overheating condition that led to H.O. Penn Machinery Co., Inc.'s being hired to re-build the boat's starboard engine in

April 15, 2008
Page 2

August-September, 2006. The owner and his insurance company claim that H.O. Penn Machinery Co., Inc.'s work was defective, leading to the need for a second engine re-build.

The plaintiff's complaint alleges breach of contract, breach of the warranty of workmanlike performance, negligence, fault, neglect and gross negligence against H.O. Penn Machinery Co., Inc.

This matter was reported to Zurich for a response under policy GLO-6510263, effective 4/1/07-08, issued to H.O. Penn Machinery Co., Inc. by Zurich American Insurance Company.

Under the NEW YORK CHANGES—COMMERCIAL GENERAL LIABILITY COVERAGE FORM CG 01 63 09 99 that forms a part of the policy it states:

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

- A. Paragraph 1 Insuring Agreement of Section 1—Coverage A—
Bodily Injury And Property Damage Liability is replaced by the following:
 - 1. Insuring Agreement
 - a. We will pay those sums that the insured becomes legally obligated to pay as damages because of "bodily injury" or "property damage" to which this insurance applies. We will have the right and duty to defend the insured against any "suit" seeking those damages even if the allegations of the "suit" are groundless, false or fraudulent. However, we will have no duty to defend the insured against any "suit" seeking damages for "bodily injury" or "property damage" to which this insurance does not apply. We may, at our discretion, investigate any "occurrence" and settle any claim or "suit" that may result. But:
 - (1) The amount we will pay for damages is limited as described in Section III—Limits Of Insurance; and

April 1, 2008

Page 3

- (2) Our right and duty to defend end when we have used up the applicable limit of insurance in the payment of judgments or settlements under Coverages A or B or medical expenses under Coverage C.

No other obligation or liability to pay sums or perform acts or services is covered unless explicitly provided for under Supplementary Payments—Coverages A and B.

- b. This insurance applies to "bodily injury" and "property damage" only if:
 - (1) The "bodily injury" or "property damage" is caused by an "occurrence" that takes place in the "coverage territory;"
 - (2) The "bodily injury or "property damage" occurs during the policy period; and
 - (3) Prior to the policy period, no insured listed under Paragraph 1. of Section II—Who Is An Insured and no "employee" authorized by you to give or receive notice of an "occurrence" or claim, knew that the "bodily injury" or "property damage" had occurred, in whole or in part. If such a listed insured or authorized "employee" knew, prior to the policy period, that the "bodily injury" or "property damage" occurred, then any continuation, change or resumption of such "bodily injury" or "property damage" during or after the policy period will be deemed to have been known prior to the policy period...

Under the COMMERCIAL GENERAL LIABILITY COVERAGE FORM CG 00 01 12 04 it states:

2. Exclusions

This insurance does not apply to:

1. Damage To Your Work

"Property damage" to "your work" arising out of it or any part of it and included in the "products-completed operations hazard."

April 15, 2008
Page 4

This exclusion does not apply if the damaged work or the work out of which the damage arises was performed on your behalf by a subcontractor.

Under SECTION V—DEFINITIONS the policy states:

22. "Your work":

a. Means:

- (1) Work or operations performed by you or on your behalf; and
- (2) Materials, parts or equipment furnished in connection with such work or operations.

b. Includes:

- (1) Warranties or representations made at any time with respect to the fitness, quality, durability, performance or use of "your work", and
- (2) The providing of or failure to provide warnings or instructions.

Under 2. Exclusions the policy further states:

This insurance does not apply to:

c. Contractual Liability

"Bodily injury" or "property damage" for which the insured is obligated to pay damages by reason of the assumption of liability in a contract or agreement. This exclusion does not apply to liability for damages:

- (1) That the insured would have in the absence of the contract or agreement; or
- (2) Assumed in a contract or agreement that is an "insured contract", provided the "bodily injury" or "property damage" occurs subsequent to the execution of the contract or agreement. Solely for the purposes of liability assumed in an "insured contract", reasonable attorney fees and necessary litigation expenses incurred by or for a party other than an insured are deemed to be

April 15, 2008

Page 5

damages because of "bodily injury" or "property damage" provided:

- (a) Liability to such party for, or for the cost of, that party's defense has also been assumed in the same "insured contract"; and
- (b) Such attorney fees and litigation expenses are for defense of that party against a civil or alternative dispute resolution proceeding in which damages to which this insurance applies are alleged.

Under SECTION V—DEFINITIONS the policy states:

9. "Insured contract" means:

- a. A contract for a lease of premises. However, that portion of the contract for a lease of premises that indemnifies any person or organization for damage by fire to premises while rented to you or temporarily occupied by you with permission of the owner is not an "insured contract";
- b. A sidetrack agreement;
- c. Any easement or license agreement, except in connection with construction or demolition operations on or within 50 feet of a railroad;
- d. An obligation, as required by ordinance, to indemnify a municipality, except in connection with work for a municipality;
- e. An elevator maintenance agreement;
- f. That part of any other contract or agreement pertaining to your business (including an indemnification of a municipality in connection with work performed for a municipality) under which you assume the tort liability of another party to pay for "bodily injury" or "property damage" to a third person or organization. Tort liability means a liability that would be imposed by law in the absence of any contract or agreement..."

April 15, 2008

Page 6

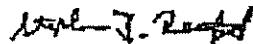
Please be advised that the breach of contract allegations in the lawsuit do not fit the definition of an "insured contract" as defined in the policy and coverage is therefore not triggered.

Based on the above-cited provisions, policy GLO-6510263, effective 4/1/07-08, issued to H.O. Penn Machinery Co., Inc., provides no coverage for the allegations in the lawsuit. Therefore, Zurich American Insurance Company will neither defend nor indemnify H.O. Penn Machinery Co., Inc. in this matter. It is again recommended that H.O. Penn Machinery Co., Inc. immediately retain defense counsel, at its own expense, to protect its interests in this matter.

Should additional pleadings be received in this matter, please promptly forward them to Zurich American Insurance Company for a further coverage review. Thank you for your courtesies in this matter.

Should you wish to take this matter up with the New York Insurance Department, you may file with the Department either on its website at www.ins.state.us/complhow.htm or you may write to or visit the Consumer Services Bureau, New York State Insurance Department, at the following locations: 25 Beaver Street, New York, NY 10004; One Commerce Plaza, Albany, NY 12257; 200 Old Country Road, Suite 340, Mineola, NY 11501; or Walter J. Mahoney Office Building, 65 Court Street, Buffalo, NY 14202.

Very truly yours,
Zurich American Insurance Company

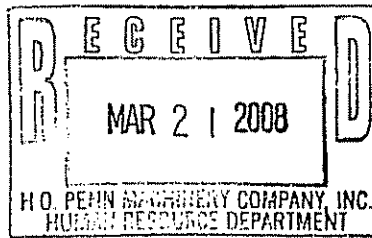


Stephen Reitzel
CLAIM CASE MANAGER
(973) 394-5251

cc: Marsh USA
600 Renaissance Center, Suite 2100
Detroit, MI 48243-1809

April 15, 2008
Page 7

cc: Christopher Martin
Casey & Barnett, LLC
317 Madison Avenue, 21st floor
New York, NY 10017

*Supplied in a
love to G 3-21-08*

March 19, 2008

CERTIFIED MAIL—RETURN RECEIPT REQUESTED

Weindy Tyler
Assistant Risk & Insurance Manager
H.O. Penn Machinery Co Inc
122 Noxon Rd
Poughkeepsie, NY 12603

Zurich North America

Claims

P O Box 905
Newark, NJ
07101-0905

Telephone (800) 255-3612
Fax (973) 394-5262
<http://www.zurichna.com>

RE: Claim #: 9440095877-001
Insured: H.O. Penn Machinery Co Inc
Date of Loss: 05/14/07
Claimant: Steven Friedel

Dear Ms. Tyler:

Receipt is acknowledged of the property damage subrogation claim being pursued against H.O. Penn Machinery Co., Inc. by the Indemnity Insurance Co. of America. Reimbursement in the amount of \$125,900 is demanded due to damages paid to repair a 56' pleasure boat owned by its insured Steven Friedel.

The boat owner reportedly struck a partly-submerged object in Long Island Sound, causing an overheating condition that led to H.O. Penn Machinery Company's being hired to re-build the boat's starboard engine in August-September, 2006. The owner and his insurance company claim that H.O. Penn's work was defective, leading to the need for a second engine re-build.

This matter was reported to Zurich for a response under policy GLO-6510263, effective 4/1/07-08, issued to H.O. Penn Machinery Co., Inc. by Zurich American Insurance Company. Please be advised that coverage is potentially limited by the following policy provisions.

Under the NEW YORK CHANGES—COMMERCIAL GENERAL LIABILITY COVERAGE FORM CG 01 63 09 99 that forms a part of the policy it states:

March 13, 2008

Page 2

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

- A. Paragraph 1. Insuring Agreement of Section 1—Coverage A—
Bodily Injury And Property Damage Liability is replaced by the
following:

1. Insuring Agreement

- a. We will pay those sums that the insured becomes legally obligated to pay as damages because of "bodily injury" or "property damage" to which this insurance applies. We will have the right and duty to defend the insured against any "suit" seeking those damages even if the allegations of the "suit" are groundless, false or fraudulent. However, we will have no duty to defend the insured against any "suit" seeking damages for "bodily injury" or "property damage" to which this insurance does not apply. We may, at our discretion, investigate any "occurrence" and settle any claim or "suit" that may result. But:

- (1) The amount we will pay for damages is limited as described in Section III—Limits Of Insurance; and
- (2) Our right and duty to defend end when we have used up the applicable limit of insurance in the payment of judgments or settlements under Coverages A or B or medical expenses under Coverage C.

No other obligation or liability to pay sums or perform acts or services is covered unless explicitly provided for under Supplementary Payments—Coverages A and B.

- b. This insurance applies to "bodily injury" and "property damage" only if:

- (1) The "bodily injury" or "property damage" is caused by an "occurrence" that takes place in the "coverage territory;"
- (2) The "bodily injury or "property damage" occurs during the policy period; and

March 17, 2008

Page 3

- (3) Prior to the policy period, no insured listed under Paragraph 1. of Section II—Who Is An Insured and no "employee" authorized by you to give or receive notice of an "occurrence" or claim, knew that the "bodily injury" or "property damage" had occurred, in whole or in part. If such a listed insured or authorized "employee" knew, prior to the policy period, that the "bodily injury" or "property damage" occurred, then any continuation, change or resumption of such "bodily injury" or "property damage" during or after the policy period will be deemed to have been known prior to the policy period...

Under the COMMERCIAL GENERAL LIABILITY COVERAGE FORM CG 00 01 12 04 it states:

2. Exclusions

This insurance does not apply to:

1. Damage To Your Work

"Property damage" to "your work" arising out of it or any part of it and included in the "products-completed operations hazard."

This exclusion does not apply if the damaged work or the work out of which the damage arises was performed on your behalf by a subcontractor.

Under SECTION V—DEFINITIONS the policy states:

22. "Your work":

a. Means:

- (1) Work or operations performed by you or on your behalf; and
- (2) Materials, parts or equipment furnished in connection with such work or operations.

March 1, 2008

Page 4

b. Includes:

- (1) Warranties or representations made at any time with respect to the fitness, quality, durability, performance or use of "your work", and
- (2) The providing of or failure to provide warnings or instructions.

This shall serve to advise that the undersigned Zurich American Insurance Company hereby reserves its rights under policy GLO-6510263, effective 4/1/07-08, issued to H.O. Penn Machinery Co., Inc. regarding any and all damages, losses, expenses, fees, settlements or judgments arising out of the above claim on the grounds that the policy provides no coverage for damage to your work.

Therefore, all damages for the repair or replacement of the work performed by H.O. Penn Machinery Co., Inc. will be the responsibility of H.O. Penn Machinery Co., Inc. and not Zurich American Insurance Company.

Please be advised that Zurich American Insurance Company will nonetheless continue to investigate this claim. However, by such action or any other activity including the negotiation or settlement of the claim, Zurich American Insurance Company is not deemed to have waived, nor does it intend to waive, any of its rights or defenses under policy GLO-6510263.

Please be advised that Zurich American Insurance Company also reserves its rights to potentially disclaim coverage due to late notice.

Under the COMMERCIAL GENERAL LIABILITY COVERAGE FORM CG 00 01 10 01 that forms a part of policy GLO-6510263 it states:

SECTION IV—COMMERCIAL GENERAL LIABILITY CONDITIONS

3. Duties In The Event Of Occurrence, Offense, Claim Or Suit

- a. You must see to it that we are notified as soon as practicable of an "occurrence" or an offense which may result in a claim. To the extent possible, notice should include:

March 15, 2008

Page 5

- (1) How, when and where the "occurrence" or offense took place;
 - (2) The names and addresses of any injured persons and witnesses;
and
 - (3) The nature and location of any injury or damage arising out of the
"occurrence" or offense.
- b. If a claim is made or "suit" is brought against any insured, you must:
- (1) Immediately record the specifics of the claim or "suit" and the date received; and
 - (2) Notify us as soon as practicable.

You must see to it that we receive written notice of the claim or "suit" as soon as practicable.

- c. You and any other involved insured must:
- (1) Immediately send us copies of any demands, notices, summonses or legal papers received in connection with the claim or "suit;"
 - (2) Authorize us to obtain records and other information;
 - (3) Cooperate with us in the investigation or settlement of the claim or defense against the "suit;" and
 - (4) Assist us, upon our request, in the enforcement of any right against any person or organization which may be liable to the insured because of injury or damage to which this insurance may also apply.
- d. No insured will, except at that insured's own cost, make a payment, assume any obligation, or incur any expense, other than for first aid, without our consent.

March 19, 2008

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Under the NEW YORK CHANGES—COMMERCIAL GENERAL LIABILITY COVERAGE FORM CG 01 63 09 99 it states:

- B. The following is added as Paragraph e. to the "Duties In The Event Of Occurrence, Offense, Claim Or Suit:"
 - e. Notice given by or on behalf of the injured person or any other claimant, to any agent of ours in New York State, with particulars sufficient to identify the insured, shall be considered to be notice to us.

Zurich American Insurance Company is investigating whether H.O. Penn Machinery Co., Inc.'s lengthy delay in notifying Zurich of the potential claim constituted a material breach of the above-quoted policy provisions. Zurich has no record of this claim having been reported around the time when the subsequent engine damages were discovered in April, 2007.

Should our investigation indicate that the claim was reported outside of the allowable time period under New York law, coverage will be denied to H.O. Penn Machinery Co., Inc. in this matter.

Should you wish to take this matter up with the New York Insurance Department, you may file with the Department either on its website at www.ins.state.us/complhow.htm or you may write to or visit the Consumer Services Bureau, New York State Insurance Department, at the following locations: 25 Beaver Street, New York, NY 10004; One Commerce Plaza, Albany, NY 12257; 200 Old Country Road, Suite 340, Mineola, NY 11501; or Walter J. Mahoney Office Building, 65 Court Street, Buffalo, NY 14202.

Very truly yours,
Zurich American Insurance Company



Stephen Reitzel
CLAIM CASE MANAGER
(973) 394-5251

March 12, 2008
Page 7

cc: Marsh USA
600 Renaissance Center, Suite 2100
Detroit, MI 48243-1809

Christopher Martin
Casey & Barnett, LLC
317 Madison Avenue, 21st Floor
New York, NY 10017